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OFFICIAL REPORT
(HANSARD)

Thursday, September 20, 2018

The Honourable GEORGE J. FUREY,
Speaker

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THE SENATE

Thursday, September 20, 2018

The Senate met at 1:30 p.m., the Speaker in the chair.

Prayers.

SENATORS' STATEMENTS

JEREMY DUTCHER

CONGRATULATIONS ON POLARIS PRIZE

Hon. Sandra M. Lovelace Nicholas: Honourable senators, I rise today to congratulate Jeremy Dutcher.

Jeremy Dutcher is from my community, the Wolastoq people, which means beautiful people of the river. Jeremy is a celebrated, trained operatic tenor and has transposed traditional Wolastoq songs into piano-driven arrangements, folding in samples of archival recordings of our ancestors.

At a gala in Toronto this past Monday, Jeremy won Canada's most prestigious music ward: the Polaris Music Prize.

Jeremy is to be congratulated for his award, and we wish him continued success in his musical career. We are very proud of our brother.

Hon. Senators: Hear, hear!

KATARINA ROXON

Hon. Elizabeth Marshall: Honourable senators, some people excel in the face of adversity, and Katarina Roxon is one of those people.

I rise today to recognize this Canadian swimmer and proud Newfoundlander who, at the age of 25, added more gold to her medal collection at the 2018 Pan-Pacific Para Swimming Championships in Australia this past August.

A native of Kippens, Newfoundland and Labrador, Katarina has had a spectacular career. She won her first Paralympic gold medal at the 2016 Summer Paralympic Games in Rio de Janeiro.

In 2017, she swam at the Canadian Swimming Championships and won two medals, one of which was gold. This past August, at the 2018 Australian Pan-Pacific Para Swimming tournament, not only did she capture the gold medal in the women's 100-metre breaststroke, but she also won a silver medal in the 200-metre individual medley, as well as a bronze medal.

Katarina is a proud Canadian and a celebrated athlete who is working to open more doors for youth with disabilities willing to engage in sports. She has served on the provincial council for persons with disabilities, and serves as an ambassador for para swimming and for para sport by representing the Canadian Paralympic Committee, the Canadian Olympic Committee, and the War Amps of Canada at various speaking opportunities across Canada.

Katarina was included in the 2016 Most Influential Women List by the Canadian Association for the Advancement of Women and Sport and Physical Activity. She was also selected for Women's History Month in Canada as one of the most influential women making history in Newfoundland and Labrador and in Canada.

Katarina trains in her hometown in rural Newfoundland and Labrador and is an assistant coach of the Stephenville Aqua Aces Swim Club, inspiring a whole new generation of swimmers. In response to her remarkable accomplishments, the Trans-Canada Highway Route 490 in Newfoundland has been renamed Katarina Roxon Way.

Honourable senators, join me in celebrating Canada's Paralympic swimming champion and her great example, recognizing her outstanding personal achievements and her important contributions in support of Canadians living with disabilities.

Congratulations, Katarina.

Hon. Senators: Hear, hear!

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Lieutenant-Colonel Cathy Potts and her spouse, Warrant Officer Brenda Haye; Debbie Kilroy, CEO of Sisters Inside and member of the Order of Australia; as well as a number of other guests of the Honourable Senator Pate.

On behalf of all honourable senators, I welcome you to the Senate of Canada.

Hon. Senators: Hear, hear!

EXPUNGEMENT OF HISTORICALLY UNJUST CONVICTIONS

Hon. Kim Pate: Honourable senators, in our flurry of activity before the summer break, our honourable colleague and my seatmate, Senator Cormier, shepherded passage of Bill C-66, thereby laying the groundwork for the expungement of criminal records relating to unjust convictions for persecuted members of the LGBTQ2S communities.

[*Translation*]

Earlier, the Standing Committee on Human Rights had heard heart-wrenching testimony from individuals who were persecuted, unjustly convicted and imprisoned. These individuals must live with the consequences of a criminal record, and these convictions cause unspeakable hardship and suffering.

[*English*]

Also in June, after far too long, the Federal Court approved a settlement compensating lesbian and gay members of the military and other agencies for decades of state-sanctioned discrimination and vilification. In addition to denouncing the fearmongering, spying, harassment, interrogation, firings, forced resignations and public humiliation that resulted from labelling gay and lesbian members of the military as threats to national security, the court chronicled the devastating and lifelong consequences to the lives and careers of dedicated and fiercely patriotic women and men in our military.

At the settlement hearing, Lieutenant-Colonel Cathy Potts, a 37-year member of the Canadian Air Force, told the court — with characteristic strength and courage — about being followed by military police and about having her phone tapped, despite assiduous, tedious and constant detailed self-policing of how she spoke, how she dressed, when and how she socialized and where she went, all because she lived and served our country in the near constant fear of being discovered, exposed and persecuted under homophobic policies.

Honourable senators, I rise today to thank and recognize Lieutenant-Colonel Potts for her unflagging commitment to Canada and for her fortitude despite the heartbreaking personal cost to her and so many others who stood up, not only for our country but for so many others targeted by discriminatory policies and laws. I salute her and her colleagues and am eternally grateful to them, and I pledge to continue the work still required to fully remedy the long-standing and shameful legacy of discriminatory action against LGBTQ2S individuals.

Honourable colleagues, our work in this respect is really only just beginning, but today I pause to commend and thank Lieutenant-Colonel Potts, her partner Warrant Officer Brenda Hay and so many others for all they have contributed to uphold justice, equality and fairness for so many discriminated-against communities and for all Canadians. Thank you. *Meegwetch*.

Hon. Senators: Hear, hear.

• (1340)

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Mr. Khalifa Mubarak Al Hinai, Mrs. Aida Salim Al Barwani, Mrs. Shah Begum Ahamed Lalani, Mr. Amirali Rashid and Mr. Nadir Jeraj. They are the guests of the Honourable Senator Jaffer.

On behalf of all honourable senators, I welcome you to the Senate of Canada.

Hon. Senators: Hear, hear!

DOWNHOME

Hon. Fabian Manning: Honourable senators, today I am pleased to present Chapter 38 of "Telling Our Story."

It has been a common practice for many decades that Newfoundlanders and Labradorians leave our province to seek employment opportunities in other parts of Canada, the United States and throughout the world. But regardless of where the road of life takes them and regardless of how long they live somewhere else, that rock in the Atlantic Ocean, swept by snow, wind and rain, will always be "home sweet home."

Those who have to move away find themselves longing for what they have left behind and always cherish any and every connection they can find with "back home."

Building on that patriotism and pride of place, in June 1988, a small group of expatriate Newfoundlanders and Labradorians who were away from home and living in Brampton, Ontario, printed the first issue of what was at that time called *The Downhomer*. Volume 1, Number 1 was a 12-page newspaper focused entirely on Newfoundland and Labrador. The publication celebrated and told the stories of our culture, heritage and people. It brought the news from home to the doorsteps of Newfoundlanders and Labradorians wherever they happened to be.

Years later, the name was modified to *Downhome*, and this year, the people behind this wonderful creation are celebrating 30 years of tremendous success in bringing stories of Newfoundland and Labrador to the world. Today, more than 50,000 copies of this magazine are published each month and distributed worldwide.

Friends, if you are not on this distribution list, I encourage you to sign up. You have no idea what you are missing. It is the largest paid circulation magazine in Atlantic Canada and is number 31 among all paid circulation magazines in our country.

To complement the magazine, there are also two Downhome stores on the island, one located in our capital city of St. John's and the other in Twillingate.

Unlike in 1998, everything today is available online at downhomelife.com.

My time here today does not allow me to give justice to what this magazine means to all of us. It is filled with incredible and inspiring personal stories, tales of travel and adventure, stunning photography and so much more. We look forward to each and every monthly publication, knowing full well that our anticipation will be rewarded. Because, from the founding Editor Ron Young to today's Editor-in-Chief Janice Stuckless and Publisher and President Grant Young, the goal has remained the same: to promote the enjoyment and rewards of a "Downhome" lifestyle where the air is cleaner, the people are friendlier and overall "life is better."

I ask all my colleagues to join me in congratulating the *Downhome* team on 30 years of tremendous success and wishing them many more.

[*Translation*]

ALZHEIMER'S AWARENESS MONTH

Hon. Marie-Françoise Mégie: Honourable senators, September is Alzheimer's Awareness Month. Being diagnosed with dementia comes as a shock not only to the person affected, but also to their loved ones, who need support and reassurance.

To that end, we voted in favour of the National Strategy for Alzheimer's Disease and Other Dementias Act in June 2017. This initiative focuses on research, prevention and improved care and reflects our desire to do something to address this major problem.

As you know, over 500,000 Canadians deal with this terrible disease every day. It is therefore imperative that we implement practical measures to support all those affected. I would like to applaud government initiatives such as Silver Alert and the National Dementia Conference, which was held in May. Concrete actions like these help protect vulnerable individuals while supporting family caregivers.

However, we need to do more. Dementia is still highly stigmatized. According to a recent survey, 46 per cent of Canadians would be embarrassed if they were diagnosed with dementia, and 56 per cent believe they would be ignored and would not have access to appropriate services. The same percentage of people are concerned about being affected by Alzheimer's. However, only 5 per cent of Canadians said that they would try to learn more about dementia if a family member were diagnosed.

These alarming statistics show that we need to keep taking concrete action to raise public awareness. We need to combat stereotypes and prejudice, offer relevant resources, and invite family caregivers to tell us how to optimize the scope of our initiatives. It is also important to keep in mind the legal and financial factors, such as lasting powers of attorney, wills, and tax credits. That is why it is so important that the action we take involve educating the public. Let us ensure that our initiatives in this regard are available and accessible from coast to coast to coast.

We must also support grassroots awareness and support initiatives, as well as care in the community.

Alzheimer's is not a normal part of aging. It is a disease whose impact we can manage together.

For that to happen, we need to promote dialogue between Ottawa and the provinces so they can agree on how to address this issue together.

Honourable senators, let us support people with dementia. Let's help put the measures outlined in the National Strategy for Alzheimer's Disease into action. Thank you.

[Senator Manning]

[*English*]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of a delegation of regional presidents of the United Korean Commerce and Industry Association of Canada. They are the guests of the Honourable Senator Martin.

On behalf of all honourable senators, I welcome you to the Senate of Canada.

Hon. Senators: Hear, hear!

ROUTINE PROCEEDINGS

BANKING, TRADE AND COMMERCE

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY THE POTENTIAL BENEFITS AND CHALLENGES OF OPEN BANKING FOR CANADIAN FINANCIAL SERVICES CONSUMERS

Hon. Douglas Black: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

> That the Standing Senate Committee on Banking, Trade and Commerce be authorized to examine and report on the potential benefits and challenges of open banking for Canadian financial services consumers, with specific focus on the federal government's regulatory role.
>
> That the committee submit its final report no later than February 22, 2019, and that the committee retain all powers necessary to publicize its findings until 180 days after the tabling of the final report.

QUESTION PERIOD

FINANCE

INFRASTRUCTURE BANK

Hon. Larry W. Smith (Leader of the Opposition): Honourable senators, my question is for the government leader concerning a subject that has been raised with him a few times previously, and that's the Canada Infrastructure Bank. The government disregarded Parliament's authority by seeking a president and directors for the Infrastructure Bank even before its creation had been approved by this chamber. At the time, you, Senator Harder, said that the government did so to ensure quick implementation as there were urgent requirements.

We learned this morning that the Infrastructure Bank has received over $11 million from the government since August 2017 for such items as salaries, travel and communications, et cetera. However, so far the Infrastructure Bank has announced just one project, the light rail in Montreal, a project that had been on the table well before the creation of the Infrastructure Bank.

• (1350)

As prudent administrators — given $11 million in overhead for one project, it seems that the question can be asked: How can the government continue to claim that its Infrastructure Bank is providing good value for tax dollars spent?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question and for his ongoing interest in the Infrastructure Bank. As he and all senators know, we established in legislation a bank that is at arm's length from the government so that it is able to make the decisions on the basis of the considerations that are guided by the legislation itself.

The Infrastructure Bank is up and running. It has made a very significant investment in the REM system in Montreal. That project is creating 34,000 jobs. Those are important as jobs, but also, frankly, the project itself will lead to a more innovative and efficient community in Montreal.

The bank will be making decisions, as it moves forward, on the basis of the mandate we've given it. The Government of Canada looks forward to the bank fulfilling its obligations and commitments.

Senator Smith: Thank you for the answer. To be direct, I think, having sat on the Finance Committee with a group of great people from all sides, one of the issues is that we all appreciate that the money has been deemed invested into this project. The money is not in the project until the project is completed at certain points. The money is requested and then it's paid. As much of a commitment as the government has made, the actual deliverable is yet to be achieved.

I think one of the most important things you can do to help us in this house is to make sure that the Infrastructure Bank creates a list of projects that are going to be done and projects that have commitments made and actual work-in-progress so that we can see where the money is spent. We will be asking you on a regular basis to provide that information, so it would really be helpful if you could jot that down and anticipate it so that we don't have to come and ask you a question that might not be at the top of your mind.

Senator Harder: I appreciate that, senator. I also want to point out that the accountability framework that we agreed on in the legislation requires the bank to account to Parliament in a number of important ways. It's required to submit an annual report and corporate plan — an annual report of its work, which will have a detailed accounting of the projects that are under way. Of course, the bank itself is reviewed after five years, and it's subject to the Access to Information Act and the Privacy Act as we ensured it would be in passing the legislation. Also, it will be audited by both the Auditor General of Canada and a private sector auditor, so with respect to the accountability of the bank, that is clear.

The honourable senator is absolutely right that the actual dollar transfer occurs, under the agreements that the bank will sign with the project participants, when milestones are reached. Those milestones are part of the negotiations that the bank is undertaking with its partners, and those, too, will be publicly reported.

Hon. Elizabeth Marshall: My question is also for Senator Harder. It's also on the Infrastructure Bank and relates to the article that was on CBC this morning.

I was on the Finance Committee last year, in June 2017, when the legislation was passed establishing the Infrastructure Bank. Of course, there was much fanfare over the establishment of the bank. We heard about all the good things the bank was going to do. It's quite disappointing to learn that only one project has been approved so far, and that project actually precedes the establishment of the bank.

Senator Harder, could you tell us what the problem is? Is it at the Infrastructure Bank, or is it with government? What's the problem with regard to getting projects approved, and what action is the government taking to correct the problem?

Senator Harder: Again, I thank the honourable senator for her question. Let me repeat that the bank we established is an arm's-length bank. It would be inappropriate for the government to interfere in the bank's deliberations or its strategic and project-by-project engagement. The government, though, is confident that the bank, now that it's up and running, is putting in place, with its partners, the appropriate review mechanisms; appropriate projects are being identified, and partnerships are being established. All of that takes some time and negotiation, so that the public funds that are available — $180 billion — are spent in the most effective way both for the infrastructure purposes that we would all wish and to ensure that there's appropriate balance in the nature of the projects that go forward.

Senator Marshall: The article that was on the CBC website this morning actually portrayed the bank as a failure. I won't use the term they used.

Should we add the Infrastructure Bank to the list of failed initiatives of the Trudeau government?

Senator Harder: No, you should not.

PUBLIC SAFETY

CANADA BORDER SERVICES AGENCY—DETENTION OF REFUGEE CHILDREN

Hon. Mobina S. B. Jaffer: My question is to the Leader of the Government, Senator Harder. I would like to ask you about the detention of children by the Canada Border Services Agency. This is a question that Senator Oh and I have asked many times because we are worried about the damage that is caused to the children.

What worries me is that Minister Goodale, when he was at National Defence, promised to do whatever he could to prevent child detention last year. Yet, despite this promise, it seems to keep happening. According to reports from June, 162 minors were detained by CBSA centres over the last year. Worse yet, 11 of them were held even without being accompanied by an adult. This is unacceptable.

When President Trump started to detain migrant children, Prime Minister Trudeau said, "This is not the way we do things in Canada." However, these statistics are painting a very different picture.

Leader, if this is not what we do in Canada, why do we still have 162 children, some unaccompanied by adults, in detention?

Hon. Peter Harder (Government Representative in the Senate): Again, I thank the honourable senator for the question and for her and other senators' ongoing interest in this. She will know, and senators will know, from previous answers to questions relating to this subject, my reference to the $138 million commitment to the National Immigration Detention Framework that happened a year ago in the fall so that the government could implement its directives, which include ensuring that the best interest of the child is the primary factor in considering when to make detention decisions.

The senator will also know that on July 22 of this year, CBSA launched an expanded Alternatives to Detention Program, and the new alternatives to detention will result in fewer people in immigration detention overall, better options for managing vulnerable people or family situations and greater national consistency in the way individuals are treated.

I would like to reference, in particular, the national statistics, which are somewhat at variance with the statistics the honourable senator outlined. If there is a difference, we should find a way of reconciling those. But the number of minors in detention a year ago, in the first quarter of last year, was 65, and in the fourth quarter, it was 12. There were only two unaccompanied minors.

I am not saying that two isn't of concern. Of course, it is. Every individual minor in detention is a cause for concern. But this in no way ought to be compared to what is happening to our friends in the south.

Senator Jaffer: Senator Harder, I'm not going to quibble with you about figures. Yours and mine are different. We may be looking at different things, and we can have different figures.

If we say we don't do this, we should not do this for anybody. I have been a family lawyer all my life. One of the things that really disturb me is when the minister or you say that it's in the best interest of the child. I cannot think of any child's best interest in keeping them in detention, and I don't think anyone here would say that it's in the best interest of any child to keep them in detention.

Senator Harder, I want to put this to you. According to Rachel Kronick, who studied this issue along with several other scholars from McGill University:

> Children are held in medium-security style prisons where they are constantly monitored by guards, where their personal effects are confiscated, where they don't have adequate education or access to what they need for normal development.

Leader, I say to you, if we say that this does not happen in Canada, it should not even happen to one child. Can you please ask Minister Goodale when this practice is going to stop?

• (1400)

Senator Harder: I will indeed convey this to Minister Goodale who, as the house will know from his appearance in this chamber on this subject, has given a good deal of attention to ensuring the right policy framework is put in place to ensure that the detention of unaccompanied minors is scrutinized at the highest level.

NATIONAL REVENUE

TARIFFS—DUTY RELIEF

Hon. Carolyn Stewart Olsen: Honourable senators, my question is for the government leader in the Senate.

Earlier this year, Canada placed retaliatory tariffs on goods imported from the U.S. in response to the devastating tariffs placed on our steel and aluminum industries. We recently learned that of the over $286 million collected by the government since the tariffs came into force on July 1, only $11,000 in duty relief has been distributed to the Canadian companies impacted by this ongoing trade dispute. As well, two of the three programs intended to provide duty relief to Canadian companies have not yet paid anything out.

Sir, can you find out, please, where the money is going and where it is being held? The money that should flow to support our companies and workers is not like a tax grab. These tariffs were specifically allocated, so we need to know where that money is and why it isn't flowing.

Hon. Peter Harder (Government Representative in the Senate): I'd be happy to take this matter up with the appropriate minister and report back.

Senator Stewart Olsen: I have a supplementary question. In addition to the three relief programs, Minister Freeland announced in June that $1.7 billion would be provided to Export Development Canada and to Business Development Canada for a variety of measures, including providing loans to our steel and aluminum companies or helping them expand into new markets. However, of this $1.7 billion, only $136 million has been made available to date. When does the government anticipate that the bulk of this funding will be distributed to help our companies, especially those seeking access to financing?

Senator Harder: Again, I'd be happy to find out the reconciliation of the process and report, but let me reiterate that this funding is earmarked for this purpose, and the government is working closely with the affected sectors. I know the departments are very involved in company-by-company relationships, and

companies do have to apply. There is a process that I'm sure the honourable senator would want to ensure was in place to give assurance to the public that the funds were indeed both granted appropriately and used in the appropriate fashion.

[*Translation*]

PUBLIC SERVICES AND PROCUREMENT

ICEBREAKER FLEET

Hon. Jean-Guy Dagenais: My question is for the Leader of the Government in the Senate.

Canada's heavy and medium icebreaker fleet will reach the end of its expected lifespan in the 2020s.

The National Shipbuilding Strategy is supposed to replace one of these ships, but the project is significantly behind schedule, and the government has given no indication of when construction will begin. Davie submitted impressive bids to renew the rest of the Canadian icebreaker fleet, but the government accepted only part of Davie's proposal to provide interim capacity. Furthermore, it seems to have no intention of maintaining the Canadian Coast Guard's critical icebreaking services.

Senator Harder, what is the government's plan for renewing Canada's entire icebreaker fleet? Is the government willing to examine the stronger bids submitted by Davie for this project?

[*English*]

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question. He has, as senators will know, raised this issue in the past and I will, as I did in the past, be happy to determine where the process is with the government and provide him with those answers.

[*Translation*]

PUBLIC SAFETY

CANNABIS—SOCIAL NETWORKS AND CYBER SPACE

Hon. Leo Housakos: My question is for the Leader of the Government in the Senate. The Department of Public Services and Procurement issued two tender notices yesterday. One is for a contract for an analysis of sentiment towards cannabis on social media, and the other is for a study on cybercrime-facilitated cannabis markets.

Senator Harder, during the debate on Bills C-45 and C-46, you and your Senate colleagues, following Prime Minister Trudeau's example, explained to us at great length that there had been enough studies on cannabis markets in Canada and on youth behaviour towards cannabis.

I have cautioned you several times about the questionable statistics that you and Senator Dean have used. Can you explain to us why, with less than a month to go before Bill C-45 comes into force, the government suddenly needs to conduct cannabis studies?

[*English*]

Hon. Peter Harder (Government Representative in the Senate): Again, I thank the honourable senator for his question. It is entirely appropriate for the government, as it implements the cannabis legislation, to ensure that appropriate research is conducted throughout this period so that when the Senate, the Parliament of Canada and the public reviews the implementation process, and indeed when we have the appropriate review of the act, we have the data before us.

Senator Housakos: I have a supplementary question. Government leader, don't you think it would be even more appropriate that the government would have done this database analysis way in advance of tabling legislation in the house and in the Senate? Wouldn't it have been more appropriate to conduct these studies so all members of both houses would have had this information at their disposal as they were taking critical decisions on a very critical issue?

Senator Harder: Well, again, we had this debate in this chamber and they did in the other chamber. The Government of Canada certainly felt that enough data was available to have the policy process go forward. It is a fact-based process. The fact that the government is committed to even more data reflects its commitment.

With respect to previous omissions of data collection on this subject, I think we could go back many years.

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Peter Harder (Government Representative in the Senate): Honourable senators, I have the honour to table the answers to the following oral questions:

Response to the oral question asked in the Senate on January 31, 2018 by the Honourable Senator McIntyre, concerning the appointment of the Chief Electoral Officer.

Response to the oral question asked in the Senate on February 7, 2018 by the Honourable Senator Carignan, P.C., concerning social media.

Response to the oral question asked in the Senate on February 27, 2018 by the Honourable Senator Cordy, concerning the Phoenix pay system.

Response to the oral question asked in the Senate on February 28, 2018 by the Honourable Senator Mercer, concerning the Phoenix pay system.

Response to the oral question asked in the Senate on March 21, 2018 by the Honourable Senator Joyal, P.C., concerning the electoral system — revisions to the *Elections Act*.

Response to the oral question asked in the Senate on March 21, 2018 by the Honourable Senator McPhedran, concerning the Dominion Carillonneur — renovations to Parliament buildings.

Response to the oral question asked in the Senate on March 29, 2018 by the Honourable Senator McIntyre, concerning the appointment of Chief Electoral Officer.

Response to the oral question asked in the Senate on April 17, 2018 by the Honourable Senator McIntyre, concerning aircraft procurement.

Response to the oral question asked in the Senate on April 24, 2018 by the Honourable Senator Smith, concerning the legalization of cannabis — public education.

Response to the oral question asked in the Senate on April 26, 2018 by the Honourable Senator Dagenais, concerning the Phoenix pay system.

Response to the oral question asked in the Senate on May 23, 2018 by the Honourable Senator McIntyre, concerning judicial appointments.

Response to the oral question asked in the Senate on May 23, 2018 by the Honourable Senator Wallin, concerning the summer jobs attestation.

Response to the oral question asked in the Senate on May 24, 2018 by the Honourable Senator Boisvenu, concerning the rights of victims of criminal acts.

Response to the oral question asked in the Senate on May 24, 2018 by the Honourable Senator Carignan, P.C., concerning spruce budworm.

Response to the oral question asked in the Senate on May 24, 2018 by the Honourable Senator Stewart Olsen, concerning CFB Gagetown and Agent Orange.

Response to the oral question asked in the Senate on May 31, 2018 by the Honourable Senator Carignan P.C., concerning the advisory committee members — private sector employment.

Response to the oral question asked in the Senate on June 4, 2018 by the Honourable Senator Plett, concerning the carbon tax.

Response to the oral question asked in the Senate on June 6, 2018 by the Honourable Senator Carignan, P.C., concerning land transfer at Mirabel Airport.

Response to the oral question asked in the Senate on June 6, 2018 by the Honourable Senator Gagné, concerning official languages.

Response to the oral question asked in the Senate on June 6, 2018 by the Honourable Senator Lovelace Nicholas, concerning Indigenous culture and heritage artefacts.

Response to the oral question asked in the Senate on June 6, 2018 by the Honourable Senator McIntyre, concerning the appointment of the Chief Electoral Officer.

Response to the oral question asked in the Senate on June 12, 2018 by the Honourable Senator Marshall, concerning the Trans Mountain pipeline.

Response to the oral question asked in the Senate on June 14, 2018 by the Honourable Senator Housakos, concerning the Canada Summer Jobs Program.

Response to the oral question asked in the Senate on June 14, 2018 by the Honourable Senator MacDonald, concerning the summer jobs attestation.

Response to the oral question asked in the Senate on June 14, 2018 by the Honourable Senator Smith, concerning the small business tax regime.

Response to the oral question asked in the Senate on June 19, 2018 by the Honourable Senator Galvez, concerning the United Nations' Sustainable Development Goals.

Response to the oral question asked in the Senate on June 19, 2018 by the Honourable Senator Jaffer, concerning the United States — Safe Third Country Agreement.

Response to the oral question asked in the Senate on June 19, 2018 by the Honourable Senator Maltais, concerning the lobster fishery.

CANADIAN HERITAGE

APPOINTMENT OF CHIEF ELECTORAL OFFICER

(*Response to question raised by the Honourable Paul E. McIntyre on January 31, 2018*)

The Government was pleased to announce the nomination of Mr. Stéphane Perrault to the position of Chief Electoral Officer on May 8, 2018, following the Government's open, transparent, and merit-based appointment process. On June 8, 2018, the House of Commons approved the appointment of Mr. Perrault as Chief Electoral Officer.

Elections Canada is an independent, non-partisan agency that reports directly to Parliament and is responsible for operating fair and efficient federal elections. As head of Elections Canada, the Chief Electoral Officer is an independent Agent of Parliament appointed by resolution of the House of Commons to hold office for a term of ten years.

PUBLIC SERVICES AND PROCUREMENT

SOCIAL MEDIA

(*Response to question raised by the Honourable Claude Carignan on February 7, 2018*)

The Treasury Board *Policy on Communications and Federal Identity* (May 2016) indicates that digital media and platforms are the primary means for connecting and interacting with the public while continuing to use multiple communications channels to meet the diverse information needs of the public. Departments (listed under Schedules I, I.1 and II of the *Financial Administration Act*) develop their advertising plans based on their organizations and Government of Canada's priorities. According to the Policy they are responsible for managing all aspects of their advertising activities, ensuring that their campaigns reach their target audiences with the relevant message at the correct time, and selecting the appropriate media channels to reach their audiences.

In the advertising process, Public Services and Procurement Canada (PSPC) undertakes its role, as mandated in Treasury Board policy, including the *Policy on Communications and Federal Identity*, and provides planning and coordination advice to departments related to relevant policies, procedures and legislation; offers training to the advertising community to ensure their skills remain up-to-date; manages the contracts for the Agency of Record, which plans and buys media on behalf of the Government of Canada and the Advertising Technology Provider, which serves display advertising materials. PSPC publishes the Annual Report on Government of Canada Advertising Activities. PSPC is also the sole contracting authority for advertising and public opinion contracts.

FINANCE

PHOENIX PAY SYSTEM

(*Response to question raised by the Honourable Jane Cordy on February 27, 2018*)

The contract to design, build, implement and support the Phoenix pay system was awarded through an open, fair and transparent bidding process to IBM in June 2011. The contract is available on Buyandsell.gc.ca (https://buyandsell.gc.ca/procurement-data/contract-history/EN260-101970-001-XE). As the project moved forward, the previous Government de-scoped some functionality and deferred other pieces to after Phoenix was rolled out in spring 2016. Since then, it's worth noting that all deferred functionality has been implemented.

This Government's first priority is to stabilize the pay system and to pay federal public servants what they are owed, accurately and on time. Our Government continues to work with IBM, as the technical experts, and will hold them to account to fulfill their obligations.

PSPC has moved to an Application Management Services (AMS) model for technical and operational-business support of Phoenix. This means that work is done through a fixed price, outcome-based model. As such, the contract is considered complete when certain outcomes have been achieved, regardless of how much work is required. The shift to an AMS model will take time, and IBM will gradually take on more of the risk and accountabilities related to payroll activities.

(*Response to question raised by the Honourable Terry M. Mercer on February 28, 2018*)

In regards to first part of the question about the Government holding IBM to account:

Public Services and Procurement Canada (PSPC) continues to hold IBM accountable for everything they are responsible for under our contract with them.

The original contract with IBM for Phoenix, awarded in 2011, was based on task authorizations, meaning work was authorized incrementally and the contract value was increased as the work advanced. Although IBM fulfilled all of its contractual obligations by completing the assigned tasks, it's clear that this way of doing business did not produce the desired results.

In 2016, PSPC worked with IBM to move to a managed service model for technical services, shifting the focus from tasks to outcomes. This allows for the supplier (IBM) to deliver the expected results, within certain cost constraints and parameters. It is important to understand that in adopting this approach, IBM is taking on more risk and responsibility.

In 2017, PSPC entered into a similar arrangement for functional services to better manage day-to-day pay operations and improvements.

In regard to the second part of the question about the responsibilities of the contractor:

The contractor's responsibility was to design, build, implement and support the Phoenix pay system using commercial off the shelf software.

The contract was awarded by the previous Government through an open, fair and transparent bidding process to IBM in June 2011. Work was authorized incrementally and the contract value was increased as the work advanced.

As the project moved forward, the previous Government de-scoped the project and ignored the advice of their contractors.

As part of the Government's commitment to openness and transparency, the contract value, history and all its subsequent amendments are available to Canadians on Buyandsell.gc.ca (https://buyandsell.gc.ca/procurement-data/contract-history/EN260-101970-001-XE).

DEMOCRATIC INSTITUTIONS

ELECTORAL SYSTEM – REVISIONS TO THE ELECTIONS ACT

(*Response to question raised by the Honourable Serge Joyal on March 21, 2018*)

Political parties play a unique role within Canadian democracy, educating and mobilizing the electorate. If passed, Bill C-76, the *Elections Modernization Act*, will ensure that political parties are doing their part to protect Canadians' personal information, resulting in greater transparency about the ways political parties collect, secure and use data.

Bill C-76 will require that political parties have a publicly available, easily understandable policy for the protection of personal information containing the following:

- a statement outlining how, and what information is collected;
- a statement on how the party will protect personal information; and
- a statement informing Canadians on how the party will use personal information and under what circumstances personal information may be sold.

Bill C-76 will also require political parties to submit their privacy policy as part of their application for registration with Elections Canada and will have to maintain it to keep their registered status.

PUBLIC SERVICES AND PROCUREMENT

DOMINION CARILLONNEUR – RENOVATIONS TO PARLIAMENT BUILDINGS

(*Response to question raised by the Honourable Marilou McPhedran on March 21, 2018*)

The Parliament Buildings belong to all Canadians and part of our responsibility is to engage them on the projects taking place here on Parliament Hill.

The Government is considering several ways to ensure a positive visitor experience on Parliament Hill during this time.

Public Services and Procurement Canada (PSPC) is working with the House of Commons to ensure live performances by the Dominion Carillonneur continue for as long as possible during the renovation of the Peace Tower. The project is still in the early stages. PSPC is currently carrying out a detailed investigation that is critical to defining the scope, budget and schedule of the renovations. At this point, no determination has been made about the timing of any potential impacts on the Carillon or on alternate arrangements.

PRIVY COUNCIL OFFICE

APPOINTMENT OF CHIEF ELECTORAL OFFICER

(*Response to question raised by the Honourable Paul E. McIntyre on March 29, 2018*)

Chief Electoral Officer on May 8, 2018, following the Government's open, transparent, and merit-based appointment process. On June 8, 2018, the House of Commons approved the appointment of Mr. Perrault as Chief Electoral Officer.

Elections Canada is an independent, non-partisan agency that reports directly to Parliament and is responsible for operating fair and efficient federal elections. As head of Elections Canada, the Chief Electoral Officer is an independent Agent of Parliament appointed by resolution of the House of Commons to hold office for a term of ten years.

PUBLIC SERVICES AND PROCUREMENT

AIRCRAFT PROCUREMENT

(*Response to question raised by the Honourable Paul E. McIntyre on April 17, 2018*)

The Government has delivered on its promise of an open and transparent competition to replace Canada's fighter fleet with the purchase of 88 advanced jets. Timelines are consistent with similar procurement contracts by other countries and we are maximizing opportunities for Canadian industry. The timeline for this is below:

- **February 2018 to Spring 2019:** Engagement with eligible Suppliers and consultation with Canadian industry and other stakeholders
- **Fall 2018**: Release of draft solicitation documents without detailed weightings and ratings to eligible Suppliers for review and feedback
- **Winter 2018/2019**: Canada reviews Supplier feedback and finalizes documents
- **Spring 2019**: Release of final documents including evaluation plan
- **Late 2019/early 2020**: Eligible Suppliers prepare and submit their initial proposals
- **Winter 2019/20 – Summer/Fall 2020**: Evaluation and ranking
- **Fall/Winter 2020**: Dialogue phase with a shortlist of Suppliers, submission of revised proposals

- **Winter 2020/21 – Spring 2021:** Evaluation and ranking

- **Spring 2021 – Late 2021:** Selection of the preferred proposal and definition of commercial contract(s) and/or government arrangement(s)

- **Late 2021/Early 2022:** Signing of arrangement(s) and/or commercial contract(s)

- **2025:** First aircraft delivered

Key documents and elements will be subject to an independent third-party review to ensure that the Future Fighter Capability Project objectives are met; address any deficiencies; and increase the quality, accuracy and neutrality of the process.

INDIGENOUS AND NORTHERN AFFAIRS

LEGALIZATION OF CANNABIS – PUBLIC EDUCATION

(Response to question raised by the Honourable Larry W. Smith on April 24, 2018)

Health Canada

The Government of Canada is committed to working with Indigenous communities as it pursues the legalization and strict regulation of cannabis.

The Government has engaged extensively with First Nations, Inuit and Métis organizations at local, regional and national levels, including on the need for public education.

Partnerships with Indigenous organizations are key to the success of public education efforts. For example, in 2017-18, the Government of Canada began funding the Thunderbird Partnership Foundation to lead regional dialogue sessions and town halls with Indigenous communities across Canada. Through Budget 2018, the Government committed $62.5 million over five years to support community-based and Indigenous organizations in educating their communities on the risks of cannabis use. These investments will support Indigenous communities in identifying public education needs, developing culturally appropriate resources, and building capacity within communities to lead public education efforts.

The Government is translating existing resources into Indigenous languages. For example, fact sheets on the health effects of cannabis and the proposed legislative framework as well as the Cannabis Talk Kit, will be available in Inuktitut in the coming weeks. We are exploring the translation of other resources into additional Northern languages. Health Canada will continue to engage Indigenous peoples to address their unique needs.

FINANCE

PHOENIX PAY SYSTEM

(Response to question raised by the Honourable Jean-Guy Dagenais on April 26, 2018)

In 2009, the previous Government approved the Transformation of Pay Administration Initiative. This involved the consolidation of compensation advisor positions from 46 departments at the Public Service Pay Centre in Miramichi and the implementation of a new pay software, known as Phoenix.

Since then, reviews and audits have noted flaws, including a fundamental failure to assess and understand the scope and complexity of the initiative. The elimination of 700 experienced compensation staff by the previous Government before Phoenix was launched compounded these issues and made a return to the previous system impossible.

Our Government has put in place a series of measures to stabilize the pay system with the goal of eliminating the backlog of late transactions, and by working together with departments and central agencies we are implementing system and process enhancements so that new transactions are entered into systems correctly and on time to minimize employee wait times. Budget 2018 provided an investment of $431.4 million over six years (starting in 2017-18) to continue efforts to stabilize pay administration. This builds on the $192 million previously announced by the Government to increase capacity, enhance technology and support employee enquiries.

JUSTICE

JUDICIAL APPOINTMENTS

(Response to question raised by the Honourable Paul E. McIntyre on May 23, 2018)

Department of Justice

The Minister of Justice and Attorney General of Canada is committed to appointing jurists who meet the highest standards of excellence and integrity, and to ensuring that her appointments meet the needs of the courts. In June 2018, she was pleased to announce the appointment of three judges to the Tax Court of Canada: Justice K.A. Siobhan Monaghan, Justice Susan Wong, and Justice Ronald V. MacPhee. All three judges have extensive experience in tax law. As of July 1, 2018, one judicial vacancy remained on the Tax Court of Canada. The Minister looks forward to filling this position later this year.

EMPLOYMENT, WORKFORCE DEVELOPMENT AND LABOUR

SUMMER JOBS ATTESTATION

(Response to question raised by the Honourable Pamela Wallin on May 23, 2018)

The intent of the Canada Summer Job program has always been to provide young people with high quality, paid summer work opportunities, where they can gain valuable experience and earn money to help pay for school.

Through the attestation, ESDC is ensuring that applicants are both aware of the new eligibility requirement for the Canada Summer Job program and comply with it. The employer attestation for Canada Summer Jobs 2018 is consistent with individual human rights in Canada, including the values underlying the Charter. It also reflects the Government of Canada's commitment to human rights, which include women's rights and women's reproductive rights, and the rights of gender-diverse and transgender Canadians.

This change was made to ensure that the Government of Canada does not fund jobs within organizations that actively undermine established individual human rights in Canada.

As in previous years, faith-based organizations are eligible not-for-profit entities. Applicants were not asked to provide their views, beliefs or values as these were not taken into consideration during application for the program.

The Department regularly consults the Department of Justice on a wide range of matters. The specific content of legal advice is covered under Solicitor-Client Privilege.

JUSTICE

RIGHTS OF VICTIMS OF CRIMINAL ACTS

(Response to question raised by the Honourable Pierre-Hugues Boisvenu on May 24, 2018)

Department of Justice

The Government is committed to ensuring that the criminal justice system treats victims with compassion and respect, including by considering the *Canadian Victims Bill of Rights* when developing proposed criminal law reforms.

The proposed reclassification of offences in Bill C-75 aims to reduce delays, which can be traumatizing and costly for victims, by permitting prosecutors to elect to proceed by summary conviction, where appropriate, for a wider range of offences. It will not change the fundamental principle of sentencing requiring courts to impose sentences that are proportionate to the gravity of the offence and the degree of responsibility of the offender.

With respect to former Bill C-46, S.C. 2018, c.21 the Government fulfills one of its key promises to Canadians to strengthen laws to punish more severely those who drive under the influence of cannabis. It provides for some higher maximum penalties, and the maximum penalty remains life imprisonment for impaired driving causing death. The Act signals to the courts that sentences for impaired driving should reflect the seriousness of the offence.

The Government is committed to appointing a new federal ombudsman for victims of crime. The position will be filled as soon as possible following the conclusion of the selection process.

NATURAL RESOURCES

SPRUCE BUDWORM

(Response to question raised by the Honourable Claude Carignan on May 24, 2018)

The $74 million allocated in Budget 2018 is for the continuation of a large-scale research program studying an innovative early intervention strategy to prevent outbreaks of spruce budworm. Quebec is currently suffering from an advanced, extensive outbreak, making the early intervention approach not possible. The current outbreak in Quebec started in 2006 and the provincial control program started in 2009. At that time, the concept of an early intervention strategy was just emerging and was not ready for broad application.

If the research is successful, Quebec and other provinces can use the early intervention strategy to prevent spruce budworm outbreaks from happening in the future (outbreaks are cyclical, occurring every 30-40 years). Past infestations have impacted forested areas all across Canada and the U.S., causing major disruptions to the forest industry and affected jobs, recreation, and tourism.

Over the last 10 years, the Government of Canada has invested more than $775 million to support the forest sector in Quebec with programs and initiatives through NRCan and the Canada Economic Development for Quebec Regions, including $6 million in Budget 2014 allocated to the Société de protection des forêts contre les insectes et maladies (SOPFIM) for spruce budworm treatment programs in Quebec.

NATIONAL DEFENCE

CFB GAGETOWN—AGENT ORANGE

(Response to question raised by the Honourable Carolyn Stewart Olsen on May 24, 2018)

From 2005 to 2007, the Department of National Defence thoroughly examined the issue of Agent Orange use at the Canadian Forces Base Gagetown. During an independent fact-finding initiative, highly qualified, non-governmental experts conducted extensive research on the use and testing of herbicides at the base. The reports determined that the impact of the spraying on human health was negligible, and that the contaminants posed no risk to human health and safety, except possibly for those who were directly involved in applying the chemicals. Furthermore, two epidemiological studies concluded that most people who lived or worked at, or near, the base, were not at risk for long-term health effects from the herbicides.

That said, new allegations of potentially undiscovered sites where Agent Orange barrels may be buried are concerning and the Government takes them very seriously. National Defence officials have contacted the eye-witnesses quoted in Murray Brewster's CBC articles. The Department is taking steps to assess their concerns regarding Agent Orange buried at Canadian Forces Base Gagetown.

Moving forward, we will continue to remain diligent, open and transparent about our work regarding this important file.

HEALTH

ADVISORY COMMITTEE MEMBER—PRIVATE SECTOR EMPLOYMENT

(Response to question raised by the Honourable Claude Carignan on May 31, 2018)

Health Canada

In June 2016, the Government announced the creation of the Task Force on Cannabis Legalization and Regulation, which was given a mandate to consult and provide advice to the Government on the design of a new legislative and regulatory framework to legalize, strictly regulate and restrict access to cannabis.

Members of the Task Force, including the Chair, the Honourable Anne McLellan, and the Vice Chair, Dr. Mark Ware, were selected based on criteria such as experience and expertise, as well as recommendations from provinces and territories.

In accordance with Health Canada's policy on external advisory boards, Task Force members were required to declare their interests and affiliations, which were considered by Health Canada as part of the appointment process. As part of Health Canada's commitment to transparency related to the membership of its advisory bodies, the declarations made by the Chair and the Vice Chair of the Task Force were made publically available and can be consulted at: "https://www.canada.ca/en/health-canada/programs/consultation-toward-legalization-regulation-restriction-access-marijuana/task-force-marijuana-legalization-regulation/summary-expertise-experience-affiliations-interests.html"

Task Force members served as volunteers – they were not remunerated by the Government. There are no additional obligations placed on the hundreds of individuals who volunteer or are remunerated to advise the government once their work is complete.

AGRICULTURE AND AGRI-FOOD

CARBON TAX

(Response to question raised by the Honourable Donald Neil Plett on June 4, 2018)

Our Government recognizes that farmers are important drivers of the Canadian economy. The federal carbon-pricing system has been carefully designed to limit its impact on the agricultural sector. Greenhouse gas emissions from livestock and crop production are not subject to carbon pricing, and gasoline and diesel fuels for on-farm use will be exempted from carbon pricing under the federal backstop.

In many aspects, agriculture is leading the way in our transition to a low-carbon economy. The agriculture sector has a solid track record in using management practices, being innovative and adopting new technologies to improve environmental performance and reduce greenhouse gas emissions. Canadian farmers have long been responsible stewards of the land and will continue to be part of the climate change solution.

In Canada's plan to price carbon pollution, the provinces can decide on the type of pricing system that makes sense for their circumstances, and revenues will remain in the jurisdiction of origin. Revenues can be used for a variety of purposes, including to minimize impacts on households and trade-exposed businesses. In some provinces, there are also opportunities for producers to earn revenue from selling carbon offset credits generated through the adoption of practices such as conservation tillage and precision agriculture techniques.

The Government will continue to engage industries, provincial and territorial governments, Indigenous Peoples, environmental groups and stakeholders on the design of the federal pricing system, including on key technical issues.

TRANSPORT

LAND TRANSFER AT MIRABEL AIRPORT

(*Response to question raised by the Honourable Claude Carignan on June 6, 2018*)

Mirabel International Airport is the property of the Crown and is leased to Aéroports de Montréal, a private, not-for-profit corporation responsible for the management, operation, and development of both Pierre Elliott Trudeau International Airport and Mirabel Airport pursuant to a long-term ground lease.

Transport Canada is working with Aéroports de Montréal regarding its future land management plans at Mirabel Airport. The disposal of any land at Mirabel Airport would be subject to Treasury Board requirements and standard due diligence, such as environmental assessments, Indigenous consultations, legal risk analysis, wildlife consequences, and identification of the public purpose. The Department would also be required to consider the request within the scope of the National Airports Policy to ensure the prosperity and competitiveness of the Canadian airport system.

This type of analysis is required before a discussion can take place with the Minister on how best to proceed regarding the proposal from Aéroports de Montréal. Transport Canada will continue to engage Aéroports de Montréal to ensure the continued success of Mirabel International Airport and Pierre Elliott Trudeau International Airport within the National Airports System.

CANADIAN HERITAGE

OFFICIAL LANGUAGES

(*Response to question raised by the Honourable Raymonde Gagné on June 6, 2018*)

The Government of Canada has taken note of the decision of the Federal Court in the case of the *Fédération des francophones de la Colombie-Britannique* vs. Employment and Social Development Canada. The Government is committed to maintaining the productive dialogue initiated with official language communities since 2015, and this includes the Francophone community of British Columbia, in order to continue to support their full development.

The vitality of minority communities across the country remains the Government's priority, and we have made it the central theme of our new *Action Plan for Official Languages*.

As the Prime Minister stated recently, the Government of Canada is open to modernizing the *Official Languages Act* and we will be listening to stakeholders and all Canadians on this issue.

We have interest in following the Senate Committee's activities, as well as those of the Commissioner of Official Languages, including public consultations on the modernization of the *Act*. Stakeholders have also begun to comment on this review of the *Act*, and we will be attentive to their proposals.

CANADIAN HERITAGE

INDIGENOUS CULTURE AND HERITAGE ARTEFACTS

(*Response to question raised by the Honourable Sandra M. Lovelace Nicholas on June 6, 2018*)

PARKS CANADA

As the Minister responsible for Parks Canada, the Minister of Environment and Climate Change designates places, persons and events of national historic significance on the recommendation of the Historic Sites and Monuments Board of Canada, her advisory body on historical matters.

Officers' Square is part of Fredericton Military Compound National Historic Site of Canada, which was designated in 1960 under the *Historic Sites and Monuments Act*. This National Historic Site is not federally owned.

In Canada, protection of heritage property not owned by the federal government falls within the purview of provinces and territories in accordance with their respective heritage legislation.

The *Historic Sites and Monuments Act* does not provide legislative authority with respect to decisions of non-federal owners and no authorizations are required from the federal government with respect to work or interventions on these national historic sites.

Parks Canada and the Historic Sites and Monuments Board of Canada encourage the protection of the commemorative integrity of a national historic site and trust that the site will be managed in accordance with sound cultural resource management principles and the *Standards & Guidelines for the Conservation of Historic Places in Canada*.

CHIEF ELECTORAL OFFICER

(*Response to question raised by the Honourable Paul E. McIntyre on June 6, 2018*)

The Government was pleased to announce the nomination of Mr. Stéphane Perrault to the position of Chief Electoral Officer on May 8, 2018, following the Government's open, transparent, and merit-based appointment process. On June 8, 2018, the House of Commons approved the appointment of Mr. Perrault as Chief Electoral Officer.

Elections Canada is an independent, non-partisan agency that reports directly to Parliament and is responsible for operating fair and efficient federal elections. As head of Elections Canada, the Chief Electoral Officer is an

independent Agent of Parliament appointed by resolution of the House of Commons to hold office for a term of ten years.

NATURAL RESOURCES

TRANS MOUNTAIN PIPELINE

(Response to question raised by the Honourable Elizabeth Marshall on June 12, 2018)

To ensure its timely completion, the Government of Canada has reached an agreement with Kinder Morgan to immediately restart work on the Trans Mountain Expansion Project. The Government of Canada will guarantee financing for the 2018 summer construction season, through a loan guarantee from Export Development Canada for an aggregate principal amount of up to $1 billion. This guarantee will ensure that work on the project is restarted without delay.

The company remains on track as set out in its 2018 work plan, with work continuing at the Westridge marine terminal and further activity planned to begin later this summer.

The Government believes this project is in the national interest and is taking action now to ensure completion of the Trans Mountain Expansion Project will deliver long-term economic benefits to Canadians – protecting jobs, ensuring that Canada's resources can get to world markets safely and efficiently, and preserving Canada's reputation as a good place to do business.

EMPLOYMENT, WORKFORCE DEVELOPMENT AND LABOUR

CANADA SUMMER JOBS PROGRAM

(Response to question raised by the Honourable Leo Housakos on June 14, 2018)

Employment and Social Development Canada

Our government unequivocally condemns anti-Semitic, homophobic, Islamophobic and hate-filled speech of all types. Such statements are unacceptable in Canadian society and cannot be tolerated. We are a country that is built on mutual respect, openness and compassion, and we reject the politics of division and fear wherever they come from.

The Canada Summer Jobs program requires applicants to attest that their organization's core mandate and primary activities do not encompass work that seeks to undermine Canadians' rights.

Organizations whose primary activities involve partisan political activities or do not respect—that is, seek to remove or actively undermine—established human rights in Canada will not be funded. Funded projects must meet program eligibility and comply with the terms and conditions of the Agreement entered into between the Department and the organization. Organizations that fail to do so will not be reimbursed for the student's salary. The provision of false or misleading information would affect eligibility and funding may be revoked.

SUMMER JOBS ATTESTATION

(Response to question raised by the Honourable Michael L. MacDonald on June 14, 2018)

Employment and Social Development Canada

The Canada Summer Jobs (CSJ) program is designed to provide young people with high quality, paid summer work opportunities, where they can gain valuable experience and earn money to help pay for school. The government has doubled the number of summer jobs under the CSJ program since 2015. This year, over 3,000 jobs were approved in Nova Scotia compared to the 1,800 jobs that were approved in 2015.

All applicants were required to meet the same eligibility requirements. The employer attestation for Canada Summer Jobs 2018 is consistent with individual human rights in Canada, including the values underlying the *Canadian Charter of Rights and Freedoms* (Charter). It also reflects the Government of Canada's commitment to human rights, which includes women's rights and women's reproductive rights, and the rights of gender-diverse and transgender Canadians. All of the organizations that submitted an incomplete application were afforded an additional 10 days to submit a complete application.

The attestation helps ensure that funding flows to organizations whose mandates or projects respect individual human rights and the values underlying the Charter. The Government of Canada wishes to ensure that youth job opportunities funded by the Government of Canada take place in an environment that respects the rights of all Canadians.

CSJ does not provide operational funding to organizations. No participant should displace or replace existing employees or volunteers.

Our government is committed to giving young Canadians opportunities so they get skills and experience they need to succeed.

FINANCE

SMALL BUSINESS TAX REGIME

(Response to question raised by the Honourable Larry W. Smith on June 14, 2018)

As the Government reduces taxes on small businesses, it is ensuring that the benefits of these lower tax rates are helping businesses reinvest and grow — not providing unfair tax advantages to the wealthiest.

Government actions in this area take account of concerns raised during consultations with business owners, professionals and experts. Under the income sprinkling rules contained in Bill C-74, a spouse is excluded from the tax on split income where they meaningfully contribute to a business. The new rules include a number of bright-line exclusions that were added to provide additional certainty in response to stakeholder consultations. The Canada Revenue Agency has released detailed guidance explaining how it intends to administer the rules: www.canada.ca/en/revenue-agency/programs/about-canada-revenue-agency-cra/federal-government-budgets/income-sprinkling/guidance-split-income-rules-adults.html. The measures are effective as of taxation year 2018.

The Government also introduced more targeted and simpler measures to limit the ability of high-income earners to use private corporations to hold large sums in passive investment portfolios and receive significant personal tax advantages. Those measures will take effect on a go-forward basis for taxation years after 2018.

ENVIRONMENT AND CLIMATE CHANGE

UNITED NATIONS' SUSTAINABLE DEVELOPMENT GOALS

(Response to question raised by the Honourable Rosa Galvez on June 19, 2018)

The Honourable Jean-Yves Duclos, Minister of Children, Families and Social Development will lead the coordination of Canada's implementation of the 2030 Agenda. This includes overarching responsibility to develop a national strategy to coordinate action on the Sustainable Development Goals (SDGs) across the country in collaboration with other ministers and their departments who continue to be accountable for the SDGs under their purview and through engagement with provinces and territories, municipalities, Indigenous peoples and stakeholders.

To support this work, an SDG Unit is being established at Employment and Social Development Canada (ESDC). The SDG Unit, along with Statistics Canada, the Privy Council Results and Delivery Unit, and other government departments, will also support the monitoring and reporting of Canada's domestic and international efforts to achieve the SDGs by 2030.

FOREIGN AFFAIRS AND INTERNATIONAL TRADE

UNITED STATES—SAFE THIRD COUNTRY AGREEMENT

(Response to question raised by the Honourable Mobina S.B. Jaffer on June 19, 2018)

Insofar as Immigration, Refugees and Citizenship Canada (IRCC) is concerned:

As required under the *Immigration and Refugee Protection Act* (IRPA), IRCC actively monitors the U.S. in regard to its designation as a safe third country. Factors considered as part of the continuous monitoring and review include any changes to the U.S. asylum system, and human rights conditions, such as protection of right to liberty and security of the person, protection from non-state actors, access to independent judiciary, and access to redress. Recent IRCC reviews have found that the United States remains a safe country for asylum claimants, who are able to obtain protection if warranted.

IRCC is aware of recent developments in U.S. policy and practice and is currently examining them as part of its continuous review.

FISHERIES AND OCEANS

LOBSTER FISHERY

(Response to question raised by the Honourable Ghislain Maltais on June 19, 2018)

We understand the impact of this year's North Atlantic right whale conservation plan has been difficult for those in coastal communities in Atlantic Canada and Quebec who rely on fishing in these waters. While these measures have real impacts on fish harvesters, processors and communities in Quebec and Atlantic Canada, the long-term economic risks of not adequately protecting North Atlantic right whales are greater. These measures are integral to Canada's commitment to the long-term conservation of North Atlantic right whales and to address risks to Canada's seafood exports.

We will be working with industry following their fishing season to determine the most appropriate measures to protect whales and balance the economic impacts on coastal communities.

• (1410)

[*Translation*]

BUSINESS OF THE SENATE

Hon. Ghislain Maltais: I was actually the one who asked the question about spruce budworm. Senator Harder responded to Senator Carignan, who knows nothing about the matter.

I would like Senator Harder to double-check which senator asked the question. I can repeat the question if he likes. I hope that in his response, Senator Harder will consider the fact that I was the one who asked the question.

[*English*]

Hon. Peter Harder (Government Representative in the Senate): I will certainly inquire and I will pass on any education you would like me to transfer to the Honourable Senator Carignan.

[*Translation*]

ORDERS OF THE DAY

FOOD AND DRUGS ACT

BILL TO AMEND—MESSAGE FROM COMMONS—AMENDMENTS

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons returning Bill S-228, An Act to amend the Food and Drugs Act (prohibiting food and beverage marketing directed at children), and acquainting the Senate that they had passed this bill with the following amendments, to which they desire the concurrence of the Senate:

1. *Preamble, page 2*:

   a) replace, in the English version, line 32 with the following:

   "Whereas it is widely acknowledged that market-"

   b) add the following after line 40:

   "Whereas it is necessary to review and monitor the effectiveness of this Act, particularly in light of new forms of advertising;

   And whereas persons who are at least 13 years of age but under 17 years of age are also vulnerable to marketing and its persuasive influence over their food preferences and consumption and it is also necessary to monitor and review the advertising of foods and beverages to that age group;"

2. *Clause 2, page 3*: replace line 8 with the following:

   "***children*** means persons who are under 13 years of age;"

3. *Clause 4, page 3*: add the following after line 28:

   "**7.3** Before the fifth anniversary of the day on which sections 7.1 and 7.2 come into force, those sections are to be referred to the committee of the Senate, of the House of Commons or of both Houses of Parliament that may be designated or established for the purpose of reviewing their effect. The review is, in particular, to focus on whether there is an increase in the advertising of unhealthy food in a manner that is directed primarily at persons who are at least 13 years of age but under 17 years of age."

The Hon. the Speaker: Honourable senators, when shall this message be taken into consideration?

(On motion of Senator Martin, message placed on the Orders of the Day for consideration at the next sitting of the Senate.)

THE SENATE

MOTION TO AFFECT QUESTION PERIOD ON SEPTEMBER 25, 2018, ADOPTED

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of September 19, 2018, moved:

That, in order to allow the Senate to receive a Minister of the Crown during Question Period as authorized by the Senate on December 10, 2015, and notwithstanding rule 4-7, when the Senate sits on Tuesday, September 25, 2018, Question Period shall begin at 3:30 p.m., with any proceedings then before the Senate being interrupted until the end of Question Period, which shall last a maximum of 40 minutes;

That, if a standing vote would conflict with the holding of Question Period at 3:30 p.m. on that day, the vote be postponed until immediately after the conclusion of Question Period;

That, if the bells are ringing for a vote at 3:30 p.m. on that day, they be interrupted for Question Period at that time, and resume thereafter for the balance of any time remaining; and

That, if the Senate concludes its business before 3:30 p.m. on that day, the sitting be suspended until that time for the purpose of holding Question Period.

She said: Honourable senators, I would like to add that the next minister to appear will be the Honourable Jody Wilson-Raybould, Minister of Justice.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to.)

ADJOURNMENT

MOTION ADOPTED

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of September 19, 2018, moved:

> That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, September 25, 2018, at 2 p.m.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to.)

[*English*]

CRIMINAL CODE
IMMIGRATION AND REFUGEE PROTECTION ACT

BILL TO AMEND—THIRD READING—
DEBATE ADJOURNED

Hon. Salma Ataullahjan moved third reading of Bill S-240, An Act to amend the Criminal Code and the Immigration and Refugee Protection Act (trafficking in human organs), as amended.

Hon. Mobina S. B. Jaffer: Honourable senators, I rise today to speak on Bill S-240, An Act to amend the Criminal Code and the Immigration and Refugee Protection Act (trafficking in human organs).

I would first of all like to thank Senator Ataullahjan for her tireless work on this issue and to acknowledge her leadership in bringing this very important issue forward.

Bill S-240 amends the Criminal Code to create new offences in relation to trafficking in human organs and tissue. It also provides the minister the discretion to deem a permanent resident inadmissible if the minister is of the opinion that a person has engaged in any activities related to trafficking in human organs or tissue.

Before I begin, let me share with you a story of a young tourist visiting family in the Philippines. Jane was a recent college graduate from Australia and decided to visit family members in the Philippines. At a nearby bar, she met a good-looking stranger claiming to be a chef who insisted on bringing her to his restaurant for a new and exciting dining experience.

Jane doesn't remember much of her evening. She remembers laughing and thinking the man was kind and generous. After only her second drink, she blacked out.

The next thing she remembers is waking up freezing, naked, covered in ice in a bathtub. She tried to move, but her body was in tremendous pain. After many minutes of trying to get out of the bathtub, she saw on her side a poorly stitched, bloody wound.

Near the bathtub there was a phone and a note which said, "Seek emergency care right away."

• (1420)

Jane's kidney was stolen from her. For many people just like Jane, victims of human organ trafficking, reality is turned into horror in a matter of seconds. Jane is lucky to be alive today.

Many victims of organ trafficking have disappeared under suspicious circumstances, and their bodies are later discovered with internal organs missing.

Honourable senators, human organ trafficking is an issue in many developing countries where people are tricked into selling, and even donating, kidneys and other parts.

These organs are sold to wealthy foreigners who desperately need them.

These circumstances are described by the United Nations Office on Drugs and Crime:

> Desperate situations of both recipients and donors create an avenue ready for exploitation by international organ trafficking syndicates. Traffickers exploit the desperation of donors to improve the economic situation of themselves and their families, and they exploit the desperation of recipients who may have few other options to improve or prolong their lives.

Honourable senators, organ donation is strictly regulated in most countries around the world, yet the black market is alive and well.

Kidneys are the organ most trafficked, making up 75 per cent of the illicit trade in organs.

Currently, data from the World Health Organization states that 11,000 human organs were obtained on the black market in 2010, and this number is steadily rising every year. In fact, the number of organ donations from deceased Canadians has surged in recent years, boosted by improvements in the organ donation system.

This means at least one organ is sold every hour, each day, every day of the year.

According to the United Nations, approximately 10,000 illegal kidney transplants are performed worldwide each year.

Poor, desperate people around the world are selling their kidneys for $1,000 and sometimes for even as little as $500.

However, driven by a shortage of living organs, particularly kidneys, Canadian patients are turning to the illegal organ trade in countries like India, Pakistan and the Philippines.

Honourable senators, I was really shocked to see that Canada is among the top 10 global importers of organs.

According to the United Nations and quoted on the Persons Against the Crime of Trafficking in Humans — Ottawa website, such practices have increased in recent decades due to the growing demand for live-donor organ transplants.

Although some countries in Asia are popular destinations to obtain an organ through the black market, this crime does not occur only in countries overseas.

I remember so vividly watching the news one evening and hearing about Kendrick Johnson's death. In Georgia, his body was found on school property in 2013. The local sheriff quickly determined the death was a freak accident due to suffocation since his body was discovered stuck in a rolled-up mattress in the school gym.

Johnson's parents would not accept it. Many months after his death, his parents obtained a court order to have his body exhumed for an independent autopsy.

The discovery was shocking. The corpse was stuffed with newspaper clippings. The brain, heart, lungs and liver were missing. Four major organs were stolen from Kendrick Johnson. He was killed in his hometown, in his neighbourhood, and his body discovered on safe school property.

He was only 17 years old, and his life was stolen by the senseless crime of organ trafficking. Kendrick Johnson's murder is a reminder that organ trafficking can occur anywhere, even here.

Sadly, honourable senators, children sold into slavery or a life of sexual abuse are also exploited for their organs to make profit. And sometimes the harvesting of children's organs happens in places we least expect it.

Casa de Mama Rosa was known as a respected orphanage in Zamora, Mexico — until authorities raided the orphanage and discovered that over 500 children were being kept against their will in cramped conditions. The orphanage had been open for 40 years.

After numerous suspicious phone calls, when authorities finally investigated the home, they figured out that in addition to horrible living conditions, the orphanage was the centre of a child organ trafficking scheme.

Mama Rosa ran the orphanage, and she and eight adults were accused and charged with child abuse. In addition to living in appalling conditions with rats and insects in a residential facility, children with biological families were denied all contact with them.

The young boys and girls suffered from severe malnutrition and were forced to beg on the streets.

However, the horror does not stop there. Found inside an ice cream truck close to the orphanage were the frozen bodies of little boys and girls, with organs missing. An orphanage based on charity work, based on an honest cause to give lost children a safe and loving home, turned into a facility of starvation, torture, organ harvesting and murder.

It sickens me to think that possibly one day, Mama Rosa could have sold one of those children's kidneys to a Canadian individual desperately seeking a new kidney. This wealthy patient might have bought this kidney without asking where it came from to avoid the terrible truth. This is the undeniable truth of the human organ trafficking industry. It is absolutely wrong, morally wrong.

Honourable senators, the people who gain are the wealthiest transplant patients who can afford to buy a kidney, the doctors, the hospital administrators and the traffickers.

In her speech, Senator Ataullahjan said:

> . . . organ trafficking is the exploitation of the poor, the indigent, the vulnerable and the marginalized in our society. The recipients are wealthy, influential citizens from foreign countries, largely Western countries, who should be held criminally responsible.

Unfortunately, human organ trafficking is not perceived as an urgent issue, including here in Canada.

Once again, Bill S-240 amends the Criminal Code to create new offences in relation to trafficking in human organs and tissue.

It also provides the minister the discretion to deem a permanent resident inadmissible if the minister is of the opinion that the person has engaged in any activities related to trafficking in human organs or tissue.

It is crucial that our country shows leadership by demonstrating active participation in the detection, investigation and prosecution of those who obtain an organ or a tissue to be transplanted into their body or another person's body, particularly when the individual was a forced donor and did not give informed consent to the removal.

As we speak, another individual has lost an organ, perhaps even a young child.

For this reason, honourable senators, I urge you to vote quickly in favour of Bill S-240, An Act to amend the Criminal Code and the Immigration and Refugee Protection Act (trafficking in human organs).

I urge you to think of Jane, Kendrick Johnson and other young men, women and children who are brought under a knife to have their organs forcibly taken from them and given to wealthy individuals with no questions asked.

With the growing number of black market organs sold and bought, we cannot rest until all citizens of the world are free from organ trafficking and we stop being among the top 10 countries in organ trafficking.

Honourable senators, I want to once again thank Senator Ataullahjan for her leadership on this, and I humbly ask you to pass this bill quickly so that it can go to the House of Commons and become law. We can no longer shut our eyes to organ trafficking. Thank you.

Hon. Jane Cordy: May I ask a question? Thank you very much. Thank you firstly to Senator Ataullahjan, who brought this bill to the Senate and to the Human Rights Committee, where we heard exceptional testimony particularly from David Matas and David Kilgour, who are experts in this whole thing.

Thank you very much, senator, for your speech.

• (1430)

Unfortunately, it sounded like a science fiction story you were telling, and to find out that these things are actually going on in the world is pretty scary.

One of the things we heard about was Canadians who travel — in this case to China — for transplants, and then they come back. Clearly their family doctor knows that they have received a transplanted organ.

Have you thought about the responsibility that the medical profession in Canada has to reporting those kinds of things, where they know that somebody has gone offshore, out of Canada, to get a transplant and returned with a new kidney? I think that is the number one thing that you said. Do they have a responsibility to report that to the medical board or to anybody?

Senator Jaffer: Thank you very much, senator. I know that your Human Rights Committee heard much testimony. Seventy-five per cent of the organ transplants are kidneys.

I believe the medical profession has a responsibility, and the profession will be guided in such a way. However, at this point, I believe the first step is to make this an offence and then incrementally we can do further things.

Hon. Terry M. Mercer (Deputy Leader of the Senate Liberals): Senator Jaffer, one of the answers to this problem is to make more and more organs available at home through natural processes. I have a very brief story before I get to my question.

When I became Executive Director of The Kidney Foundation of Canada in Nova Scotia back in 1978, Nova Scotia was one of the provinces that did not have an organ donor card attached to its drivers' licences. I organized the volunteers and went to speak with the Minister of Transportation about having a donor card. The reason I'm telling this story is that minister is now a member of this chamber. I want to pay tribute to Senator McInnis, who very quickly said yes and added the organ donor card to the drivers' licences in Nova Scotia and saved hundreds if not thousands of lives by that one little action. The next time you see Senator McInnis, please thank him for that.

Was there any discussion throughout the debate on this about continuing to promote the ongoing signing of organ donor cards by Canadians so that tens of thousands of healthy organs are not being wasted after the natural death of Canadians?

Senator Jaffer: Senator Mercer, you ask a really important question, and we can be proactive in making sure we have enough organs by having that card.

Unfortunately, I'm not a member of the Human Rights Committee so I cannot tell you that, but I'm sure that others will be able to answer that question. Thank you.

(On motion of Senator Saint-Germain, debate adjourned.)

KINDNESS WEEK BILL

SECOND READING—DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Munson, seconded by the Honourable Senator Dawson, for the second reading of Bill S-244, An Act respecting Kindness Week.

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, I rise today to speak to Bill S-244, An Act respecting Kindness Week. This bill enacts the third week of February to be known as "Kindness Week" throughout Canada on an annual basis.

Let me begin by thanking Senator Jim Munson for bringing this bill to our attention, and as a kind critic of the bill I am happy to stand in support of the bill.

According to various studies, there are many benefits and side effects of showing kindness to one another. For example, kindness creates neural pathways in our brain that enhance feelings of well-being. In one study it was found that people who regularly offered practical help to others had a lower risk of dying than those who did not. But we don't need research to know that kindness is contagious — one good deed can create a domino effect on others to also perform good deeds. Overall, it is evident that kindness can transform lives and is effective in improving mental health and well-being.

This domino effect was clearly depicted in a Hollywood movie released in 2000, *Pay it Forward*. It chronicles a 12-year-old boy who launches a goodwill movement of kind acts for a social studies assignment "to change the world" one kind act at a time. His effort sets in motion an unprecedented wave of human kindness, which unbeknownst to him blossoms into a profound national phenomenon. My students loved this movie, as I did.

Actually, the concept of *Pay it Forward* has been around since 317 BC, as a key plot element in a prize-winning play in ancient Athens called *Dyskolos*, or *The Grouch*. The concept was rediscovered and described by Benjamin Franklin in a letter penned to his friend Benjamin Webb on April 25, 1784; then by Ralph Waldo Emerson in a 1841 essay titled "Compensation." He wrote: "There can be no excess of love, none to knowledge, none to beauty, when these attributes are considered in the purest sense. The soul refuses all limits. It affirms in man always an Optimism, never a Pessimism." And in 1916 author Lily Hardy Hammond wrote, "You don't pay love back, you pay it forward."

Senators, today there's a growing movement to recognize random acts of kindness around the world. In more recent times, The Random Acts of Kindness Foundation was founded in 1995 in Denver, Colorado. With the objective of spreading kindness throughout schools, communities and homes, it has now become an internationally recognized non-profit organization. It celebrates Real Acts of Kindness (RAK) Week every second full week of February each year, and RAK Friday on November 24. There are many countries that celebrate this national random acts day. I could list them, but there are quite a few.

Across our nation, Canadians have embraced the practice of kindness in their everyday lives. Senator Munson spoke about some of them, but I'll go into a few others.

I mentioned in my question to Senator Munson, when we began this debate, that in St. Albert, Alberta, Colleen Ring and her sister Debbie Riopel first brought "Random Acts of Kindness Week" to Canada in 1995. They had had a very violent act of violence that shocked their whole community, which is very close-knit, and they were trying to recover from this. They decided that the opposite of random acts of violence was random acts of kindness.

Since then they have introduced and coordinated the RAK Week for schools throughout Alberta. Their work eventually rippled around the world, and in 1998 they became one of the co-founders of The World Kindness Movement.

I know Debbie personally. I saw her recently. She's one person whose act to heal her community has transformed the world, and this movement continues to this day.

Senator Munson mentioned the city-wide Kind Ottawa initiative, together with his flagship event, Kindness Week. The tenth annual Kindness Week was held in Ottawa from February 17 to 26 last year. This year they celebrated Kindness Week from February 16 to 23. Now run by the Caring and Sharing Exchange, they have had much more support from the community and politicians, including those of us in the Senate.

Lastly, I would like to mention again an organization based in British Columbia whose movement is called Real Acts of Caring, or RAC. RAC's mission and vision is to promote the idea of displaying kindness and concern for others throughout all schools in British Columbia.

This organization was founded in 2005 and spearheaded by 13 eight and nine year olds of Central Community School in Port Coquitlam. These students were dedicated to having a kindness week during which people committed kind acts and did not expect anything back in return. They promoted the idea throughout their school and community, and by recognizing a Random Acts of Kindness Week in February 2006. In 2010, the leadership students changed the name slightly to Real Acts of Caring Week. It sounds like the same acronym, but they consciously decided to change "random" to "real" and "kindness" to "caring." I think their intention behind it is one that is very thoughtful and one that is also having great effect in the Tri-Cities and around B.C. It was led by Harriette Chang, a school counsellor in school district 43. Since the beginning, it has spread to various districts. I understand that earlier this year they even met with the Premier of B.C. and the Minister of Education. There are discussions about doing something legislatively in B.C.

• (1440)

We know that these movements are igniting communities, mobilizing groups and affecting the level of caring in all of our communities across Canada and around the world.

Imagine if, next year, in the RAK Week that is set for February 10 to 16 — although I should tell them about the week that is set aside in Ottawa because maybe these weeks can be coordinated; I'm sure they would be open to that — we were to have, as a banner, kindness week. How wonderful would that be, if we were to legislate this bill in the Senate to give it a national impact. Passing Bill S-244 would be a historical occasion, making Canada the first country in the world to enact a national kindness week.

Honourable colleagues, I ask that you support Bill S-244 and join me in recognizing the hard work, dedication and selflessness of student leaders as young as ages 7, 8, and even students in kindergarten — our young Canadians, educators, community leaders and all those who continue to commit real acts of caring and random acts of kindness across the country. There is no way to measure the value and impact of one act of kindness. But, as immortalized in the words of another work of Ralph Waldo Emerson, a poem titled *To Have Succeeded*, "to know even one life has breathed easier because you have lived. This is to have succeeded." Thank you.

The Hon. the Speaker *pro tempore*: Senator Martin, would you take a question?

Senator Martin: Yes.

Hon. Pamela Wallin: I am wondering if both Senator Martin and Senator Munson would, as they promote and talk about this proposed bill — and certainly everyone is in favour of more acts of kindness — undertake to remind people that in this very house, this chamber, we debated and passed the National Day of Service Bill. This was brought into law on September 11, 2011, 10 years after the events of 9/11 in New York.

The National Day of Service asks that we all engage — not just on that day but all year long — in quiet, small acts of kindness and generosity to honour the victims of crime, the survivors of violence, including terrorism, and to respect all of our first responders and our military, who engage in rather large acts of kindness in supporting and defending us all.

In the discussion of this bill, I would like to have your commitment that you would continue to remind people of the National Day of Service as well.

Senator Martin: Yes, Senator Wallin, I recall that bill distinctly. I know the work you have done since the enactment of that bill. We just observed the anniversary of September 11 and I know that ceremonies are so important to remind us of what happened then and that we should never forget.

As you say, there are volunteers, first responders — so many Canadians, really, every day living out this philosophy to be kind to others.

I know Senator Munson was very open to looking at whatever amendments will allow us to connect all of these parts and make it an even greater initiative. I will certainly follow that up by speaking with Senator Munson and asking the committee that will take this bill eventually to do the same. Thank you.

(On motion of Senator Coyle, debate adjourned.)

[*Translation*]

NATIONAL MATERNITY ASSISTANCE PROGRAM STRATEGY BILL

SECOND READING—DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Mégie, seconded by the Honourable Senator Dupuis, for the second reading of Bill C-243, An Act respecting the development of a national maternity assistance program strategy.

Hon. Renée Dupuis: Honourable senators, I rise today to talk about Bill C-243, An Act respecting the development of a national maternity assistance program strategy.

I support the principle of this bill, whose title suggests that it would create a comprehensive maternity assistance program. However, clause 3 of the bill makes it clear that this is actually a preventive withdrawal program for women who are unable to work due to pregnancy and whose employer is unable to accommodate them by providing reassignment. Quebec already has such a program. In fact, Bill C-243's preamble specifically refers to Quebec's preventive withdrawal program. I think the bill's title should be changed to reflect its content.

On the one hand, if the title stays as is, then a meaningful national maternity assistance program would have to include a lot more than the single measure described in Bill C-243. On the other hand, if the purpose of Bill C-243 really is to create a preventive withdrawal program, then the title has to change to reflect the content. If it is to be the latter, I would urge those senators who belong to the committee that will be studying this bill to examine the matter carefully.

The fourth paragraph of the preamble should be reformulated in both languages to make it consistent with the third paragraph by replacing the words "non-traditional occupations" with "occupations traditionally held by men."

There are no "non-traditional occupations," but there are many jobs, both skilled and unskilled, that were and, in some cases, still are male-dominated. I saw that in various sectors of work when I was serving as vice-president of the Commission des droits de la personne et des droits de la jeunesse du Québec, where I chaired the discrimination complaints committee from 2011 to 2016.

This is not simply a matter of wording. It is about a fact that is essential to consider in the legislation. Subclause 3(1) provides that the Minister of Employment and Social Development must conduct consultations in collaboration with provincial and territorial governments on the prospect of developing a national maternity assistance program in the form of a preventive withdrawal program for pregnant women.

I invite the committee members who will study Bill C-243 to ensure that this applies not only to pregnant women, but also to women who are breastfeeding, because they too should be able to benefit from such a program in order to protect their health and the health of their baby.

Subclause 3(1) sets out the six subjects that the government consultations must focus on. Since the list is not exhaustive, paragraph 3(1)(a) should be amended to indicate that the strategy for a national maternity assistance program must address the possibility of providing a maternity allowance for all pregnant women and women who adopt a child. In addition, paragraph 3(1)(b) should be amended by adding a reference to breastfeeding.

Dear colleagues, I am confident that the senators who study Bill C-243 in committee will make those improvements. Thank you.

(On motion of Senator Martin, debate adjourned.)

• (1450)

[*English*]

HISTORIC SITES AND MONUMENTS ACT

BILL TO AMEND—SECOND READING—DEBATE ADJOURNED

Hon. Murray Sinclair moved second reading of Bill C-374, An Act to amend the Historic Sites and Monuments Act (composition of the Board).

He said: Honourable senators, I rise today to speak to Bill C-374, An Act to amend the Historic Sites and Monuments Act (composition of the Board).

I welcome the opportunity to sponsor this bill in the Senate because it directly responds to the implementation of the Call to Action of the Truth and Reconciliation Commission of Canada, which I had the honour to chair.

The objective of Bill C-374 is to implement in part Call to Action 79, which states:

> We call upon the federal government, in collaboration with Survivors, Aboriginal organizations, and the arts community, to develop a reconciliation framework for Canadian heritage and commemoration. This would include, but not be limited to:

— and this is the section that is covered in Bill C-374 —

> Amending the Historic Sites and Monuments Act to include First Nations, Inuit, and Métis representation on the Historic Sites and Monuments Board of Canada and its Secretariat.

Bill C-374 is a private member's bill put forward by member of Parliament from British Columbia John Aldag. This bill received unanimous support from all parties during second reading at the committee report stage and at third reading in the other place.

The bill has also received Royal Recommendation to support the remuneration provisions required by the bill.

The government supports this bill because, in response to the TRC's Call to Action, Budget 2018 provides $23.9 million over five years, starting in 2018-19 to Parks Canada to integrate Indigenous views, history and heritage into national parks, marine conservation areas and historic sites managed by the department.

In my conversation with Mr. Aldag, he told me that his motivation for this bill was based on a 30-year career working at Parks Canada where he had the opportunity to work with several Indigenous communities.

Shortly after becoming elected, Mr. Aldag became acquainted with the work of the TRC and believed that Indigenous peoples are key stakeholders who should be involved in advising the government on the designation of significant historic initiatives in Canada.

The Historic Sites and Monuments Board is responsible for advising the government through the Minister of the Environment and Climate Change on the designation of people, places or events of national historic significance that celebrate Canada's past.

Various reports and experts have recommended that this board include representation from Indigenous communities. Currently, the board is composed of a representative from each province and territory as well as the Librarian and Archivist of Canada, an officer of the Canadian Museum of History and the Vice-President of Parks Canada's Heritage Conservation and Commemoration Directorate.

In a 2014 report, the United Nations Special Rapporteur in the field of cultural rights issued a report on memorialization processes in countries where victims and their families work with artists and civic groups where experiences are commemorated in unofficial ways that may run counter to state-sanctioned versions of national history.

The report concluded that state authorities have a key role to play in the commemoration process because they have a responsibility to manage public space and the capacity to maintain monuments and develop long-term commemoration policies and strategies.

This acknowledgment is a key element of a better future, a future in which true reconciliation is possible. It includes coming to terms with how we understand and teach others about our past.

Through our work at the commission, we learned that too many Canadians still do not know the history of Indigenous peoples in Canada, or the evolution of the relationship between Indigenous and non-Indigenous people, nor do they understand that by virtue of the historical and modern treaty processes negotiated by our government we are all treaty people.

History plays an important role in reconciliation. To build for the future, Canadians must look to and learn from the past. An ongoing lack of historical knowledge has serious consequences for First Nations, Inuit and Metis peoples and for Canada as a whole. In government circles, not knowing history makes for poor public policy decisions. In the public realm, it reinforces racist attitudes and fuels civic distrust between Aboriginal peoples and other Canadians when there is an improper basis to our knowledge.

One of the mandate items that TRC was to oversee was a regional and national commemoration initiative that would memorialize, in a tangible and permanent way, the residential school experience. Other countries have started their own journeys of reconciliation from which we have learned much.

In order to undertake this task, we met with commemoration experts and conducted our own research on commemoration projects around the world that addressed human rights violations and cultural genocide. We also worked with the key stakeholders of the Indian Residential School Settlement Agreement, such as survivors, representatives of the various churches and the government.

At the TRC's Atlantic National Event, the federal government announced that, as a gesture of reconciliation, it would commission a stained-glass window entitled *Ginitigaaniimenaaning*, which means Looking Ahead as a national commemoration initiative. The window was designed by Metis artist Christi Belcourt and has been installed in the foyer of Centre Block.

Putting this window in such a prominent public place helps to make the history and legacy of residential schools more visible to the Canadian public and the world at large while also acknowledging the federal government's responsibility in establishing the residential school system.

Commemorations in highly visible public places, such as the Parliament Buildings, create openings for dialogue about what happened and why as well as what can be learned from this history. Through dialogue, citizens can strengthen their ability to accommodate difference, acknowledge injustice and demonstrate a willingness to share authority over the past. It has the potential to contribute to human rights education in the broadest sense.

Although Canada's commemoration window contained a significant gesture of reconciliation, the TRC believed that the federal government needed to do more to ensure that a national commemoration of the history and legacy of residential schools was required in order to become an integral part of Canadian heritage and our national history.

I am encouraged to see some of the TRC Calls to Action taking form within legislation and that this particular call has received such wide-spread support in the other place.

In December 2017, the Environment Committee in the other place released a report on a study they conducted called *Preserving Canada's Heritage: The Foundation for Tomorrow*. The committee heard that the inclusion of Indigenous peoples was a priority and a necessity for our heritage community; that today's heritage organizations, departments and agencies were ill-equipped to protect and preserve Indigenous heritage; that Indigenous people must be involved in defining, designating, commemorating and preserving their heritage; and that Indigenous communities, governments and organizations wanted to have a voice and a place for their people to have a voice in heritage conservation.

The committee recommended that the Truth and Reconciliation Commission's Call to Action 79 be implemented as quickly as possible.

Honourable colleagues, we must endeavour to become a society that champions human rights, truth and tolerance, not by avoiding a dark history, but rather by confronting and memorializing it for all Canadians on into the future. The real impact to achieve reconciliation requires looking at tangible, structural changes. That is what this bill seeks to do. Bill C-374 will ensure that Indigenous perspectives are considered and incorporated into Canada's federal commemorations process.

I encourage all honourable senators to support this bill and to allow it to receive second reading and proceed to committee stage as soon as possible. Thank you.

The Hon. the Speaker: Would you take a question?

Senator Sinclair: Yes.

Hon. Serge Joyal: Senator Sinclair, I listened to you carefully. You referred to the initiative of commemoration and you mentioned in your speech that when you chaired the Truth and Reconciliation Commission, you had the opportunity to consult with experts in the field of commemoration. You are not, of course, unaware of the discussion and debate that took place last summer in Canada about the removal of a monument of Sir John A. Macdonald and the decision of the Prime Minister to remove the name of Sir Hector-Louis Langevin from the building across the street that housed the Prime Minister's Office. I have read generally your comments in the media about commemoration and how we should approach the issue of reconciliation in the context of the historical narrative that we have had in Canada up to today.

• (1500)

Could you explain to us, very succinctly, because I know that this could be the subject of a lengthy debate, what your approach is to this overall issue of removing names or monuments or statues or commemorative items whereby, in the context of the truth and reconciliation conclusion, we have to revisit in a way our history and maintain a narrative that keeps our link to the past but, on the other hand, brings an additional perspective to it?

Since you've been among us in this chamber, the one who has had the opportunity to reflect on that, what is your take on the issue of commemoration and maintaining monuments of historical figures that had a role to play in the establishment of the residential school system?

Senator Sinclair: Thank you very much for the question. It is a very important issue, as those of you who have been following the public discourse around commemoration and removal of statues and the miscommemoration events that have occurred in the past will be aware. Generally you may also be aware of my public comments on that in my capacity as a former chair of the Truth and Reconciliation Commission.

As a general rule, I am not supportive of taking down statues. I am not supportive of changing nameplates or changing buildings for individuals who have been acknowledged as having made a significantly positive contribution to our history as Canadians in this place. However, I have said that we do need to ensure that the commemoration activities in which we engage tell a fuller story, and if there is, in fact, some more information that we now know about the person whose name is being commemorated, the plaque or the information that is disclosed with regard to that individual, that statue or that public memorial should contain that information as well.

So it should be a fuller history that is put on the public stage, so to speak, than what it is now there. I think there is probably some merit to reconsidering our acknowledgment and our commemoration, our memorialization, of individuals who we now determine may have committed criminal offences in the course of their work. But I think in order for us to do that, we need to have a public discourse and discuss the principles that will need to be put in place in order for us to acknowledge that there may have been certain people in the past whose activities were memorialized or acknowledged, but now we find out such activities do not justify our support for such a person.

You can think of your own experience of individuals who we now have discovered or we may now have discovered have committed criminal acts in the past that we all, as a general population, agree should not be part of our public upholding and our public reputation as a country; and therefore, we should reconsider what we have done and said for them. I think each one needs to be considered on a case-by-case basis, but we do need to establish appropriate principles before we endeavour to change what we all want to be part of, which is developing and maintaining a public image not only for the world but for ourselves and our children that we can all feel part of. Thank you.

Senator Joyal: Will you entertain another question, senator?

Senator Sinclair: I will, thank you.

Senator Joyal: Thank you for your comments. I think they will help us to make up our own minds individually on that very important issue that is still in the minds of a large number of Canadians, as you know. I think that your experience in relation to that will be very helpful. I hope that the media will echo your position and your explanation. It will be helpful for anyone who is involved in deciding how to approach commemoration in a contemporary context, to protect the past but explain it in the perspective of today, but not by ignoring the past, of course. It's not the way, in my own opinion, that is the proper approach.

My second question is in relation to the work performed by Parks Canada in terms of the archaeological searches. As you know, much of the work of Parks Canada is centred on establishing previous Aboriginal settlements across Canada and finding in the ground a lot of artifacts, works of art, archaeological artifacts that tell about the history of Aboriginal people. Up to today, the government has always considered that that belongs to the Government of Canada. We have been aware of the situation of the Inuit when the two shipwrecks of the Franklin expedition were found three years ago that were claimed by the Inuit people as being their own because it was on their territory.

When you were chair of the Truth and Reconciliation Commission, did you pay any attention to how we should approach this issue of the archaeological finding that in fact our testimony to the press, to the millennial presence of Aboriginal people in Canada, and how to approach the interpretation of the conclusions of the research that is conducted on the basis of those artifacts, and what involvement the Aboriginal people should have in the interpretation and display of those issues?

Senator Sinclair: Thank you for the question. At great risk of going on too long, I want to say, yes, we did consider those various issues, but we didn't write about all of them in our report, primarily because we were concentrating on focusing the report on the issue around residential schools and the experience that the history of residential schools gave to all of us as Canadians.

Let me say this, that in the course of a discussion about archaeological discoveries and failures of archaeological discovery processes to properly recognize the validity of the importance of those sites to Indigenous communities, Indigenous people and, in particular, survivors of residential schools, we were greatly concerned about the lack of a policy at the federal level that addressed that in ways that appeared to be a standard at the international level. There is a set of principles now that has been recognized through the United Nations that says that when there are archaeological sites that are of significance to Indigenous communities or Indigenous people, particularly if they're for traditional use or importance or if they are of importance for spiritual or religious reasons, they should be acknowledged as having the same kind of validity as any religious historical site has to any community of people in the world. There has been a general failure over several generations for that to occur. That has changed recently or is changing, but I think Parks Canada today is making a more serious effort to recognize the importance of those activities.

Having said all of that, we did have a set of calls to action with regard to the archival community, as well as the archaeological community, to begin to look at their activities around when they discover archaeological sites that are of significance to Indigenous communities, how they engage with the Indigenous community rather than trying to follow a set of bureaucratic or regulatory rules that came from the non-Indigenous community.

• (1510)

Let me say that probably the most important issue we addressed in the TRC report when it came to archaeological sites was the issue of cemeteries, and sometimes non-cemeteries, where the children who died in residential schools were buried, and the failure of those who ran the schools, the failure of government officials and the failure of nearby communities to properly protect those sites from interference by other property owners, new property owners, by government or by developers.

(On motion of Senator Martin, debate adjourned.)

GIRL GUIDES OF CANADA BILL

PRIVATE BILL—SECOND READING—
DEBATE ADJOURNED

Hon. Mobina S. B. Jaffer moved second reading of Bill S-1002, An act respecting Girl Guides of Canada.

She said: Honourable senators, it is my honour to speak to Bill S-1002 respecting Girl Guides of Canada.

Girl Guides of Canada is an organization that is very close to my heart, and I will get to that in a few moments.

I have also come to learn that many of the honourable senators in this chamber also hold this organization near and dear.

I would like to begin today by taking you all back to the year 1909, when girls in England demanded to take part in a Boy Scouts rally organized by Lord Baden-Powell at the Crystal Palace in London. These girls saw what the Boy Scouts were doing and wanted to have the same opportunities. Lord Baden-Powell was impressed by their tenacity and initiative, so he asked his sister Agnes to create a program just for girls.

That was the day that girls ignited the Girl Guiding movement, a place where girls would meet to discover what was important to them and explore different things that they could not do at home or at school. This movement became a place where girls took the lead in discovering what was important to them. From the beginning, these girls wanted new experiences.

One year later, Guiding came to Canada. By the year 1912, there were Guiding units in every province, and many of Canada's most forward-thinking women banded together to form the Canadian Girl Guides Association.

From their very first meeting, these girls knew what they wanted, which was an all-girl organization where they could make choices, have a voice and put their ideas into action.

Today the Girl Guides of Canada consists of 75,000 girls strong, supported by 20,000 women from coast to coast to coast.

Since its foundation in 1910, over 7 million Canadian girls and women have been involved in this great organization. Ignited by the same passion which burned in the hearts of their predecessors, the Girl Guides of Canada are dedicated to creating innovative programming, while remaining rooted in their history and core values.

Guiding empowers girls to be confident, resilient, independent, open-minded and to be prepared. Guiding has long played a leading role in helping girls develop the skills and experience to try new things, with programming focused on self-esteem, mental health, financial literacy, healthy relationships and outdoor experiences.

Girl Guides of Canada provides a unique opportunity for empowerment in a safe and supportive environment, and provides programs that are responsive to issues facing girls in Canada.

Honourable senators, Girl Guides of Canada has a never-ending portfolio of positive and educational examples of programs and activities. Some leading examples of their work include the Mighty Minds, a comprehensive mental health program for girls ages 5 to 17 across Canada, designed to help girls develop positive mental health skills.

Every year, the Girl Guides of Canada commemorates the International Day of the Girl.

This year, Girl Guides of Canada released the results of a nationwide survey that identifies key challenges confronting teenage girls in Canada. Girl Guides of Canada commissioned this survey because the issues facing girls are integral to the organization.

Listening to the girls and understanding what they are facing enables Girl Guides of Canada to be responsive and develop relevant programs that challenge girls to try new experiences.

For Canada's one hundred and fiftieth anniversary, Girl Guides of Canada held regional celebrations nationwide, incorporating tailored programming to commemorate our great nation, as well as celebrate the women who helped to establish and define Canada. These are just three of the countless campaigns and activities led by this incredible organization.

The Girl Guides of Canada organization is committed to being an inclusive, diverse and relevant organization for today's girls. These values are vital to Girl Guides of Canada objective of providing a safe space where girls from all walks of life can become confident, resilient, independent, open-minded and fulfilled.

For more than 100 years, Girl Guides of Canada has known that there are no limits to what girls can achieve when they have the chance to discover themselves and explore the infinite possibilities available to them, no matter what path they choose. The girls are taught to continuously try new challenges.

Honourable senators, we are all aware that girls and women still experience barriers and limited opportunities. Gender-specific programming focuses on girls themselves and their unique needs and social barriers, and enables them to observe women in positions of leadership.

In this ever-changing and increasingly challenging global landscape where sexism exists, there is no question that girls need the Girl Guides of Canada now more than ever.

Today, girls in Guiding discover who they are. The girls set their own goals. Along this path, the girls know that they can become confident, resilient and independent.

Girl Guides of Canada are also revered ambassadors for Canada abroad. By enabling girls and young women to participate in global initiatives, including the United Nations Commission on the Status of Women and leadership development opportunities, Girl Guides of Canada provides the tools they need to build a better world.

Honourable senators, Guiding is in my DNA. My mother grew up a Girl Guide and worked with Lady Baden-Powell in Kenya. She often told us stories from her adventures as a Girl Guide, going camping and being in leadership roles in Kenya. When she moved to Kampala, Uganda, as a young bride, she became a Girl Guide leader to give Ugandan girls an opportunity to excel.

My sisters and I were also Brownies and Guides. I was the second Queen's Guide in East Africa. I was also a Girl Scout in Tacoma, Washington. I learned many leadership skills.

I have been a Brownie leader, a Girl Guide leader, a Pathfinder leader and, more importantly, I've taken young girls all over the world for camping experiences.

For many years as a Girl Guide commissioner, I was able to encourage other young women to become leaders.

Honourable senators, Girl Guides of Canada has had a tremendous impact on the woman that I am today.

I stand before you in full support of the Girl Guides of Canada and their ongoing commitment to enable girls to be confident, resourceful and courageous, but most of all to make a difference in this world.

The Girl Guides of Canada have requested that a private bill be introduced before the Parliament of Canada to ensure its current roles and procedures as a modern organization are accurately reflected in their governing charter.

Honourable senators, the Girl Guides of Canada's governance is formalized through a special act of Parliament titled An Act Respecting the Canadian Council of the Girl Guides Association (1917). This act has been amended twice, both in 1947 and 1961. For the most part, this governing act remains largely unamended. In this private bill, Girl Guides of Canada seeks to modernize language to reflect Girl Guides of Canada's goals and missions; make administrative edits to Girl Guides of Canada's procedural provisions; and incorporate certain provisions of the Canada Not-for-profit Corporations Act.

Honourable senators, I ask your support in modernizing the Girl Guides of Canada's objectives.

• (1520)

I would appreciate your support in sending this bill to committee as soon as possible. Thank you, senators.

[*Translation*]

Hon. Pierre J. Dalphond: Would Senator Jaffer take a question?

Senator Jaffer: Yes.

Senator Dalphond: My question is, why do we need a special act? Could they not be governed by the Canada Not-for-profit Corporations Act, like all other such organizations in Canada?

[*English*]

Senator Jaffer: That's an important question you asked, senator. I asked the same question when I was approached by them to do this. Many years ago I worked with Senator Di Nino for Scouts Canada. For Scouts Canada and Girl Guides of Canada, you need a special parliamentary act. It does not come under the normal charitable act. You need a special parliamentary act. That is why we are here. The Girl Guides of Canada have to go through this process from time to time, but it has to be passed by the Parliament of Canada. That's the law.

(On motion of Senator Martin, debate adjourned.)

STUDY ON ISSUES RELATING TO CREATING A DEFINED, PROFESSIONAL AND CONSISTENT SYSTEM FOR VETERANS AS THEY LEAVE THE CANADIAN ARMED FORCES

NINETEENTH REPORT OF NATIONAL SECURITY AND DEFENCE COMMITTEE AND REQUEST FOR GOVERNMENT RESPONSE ADOPTED

On the Order:

> Resuming debate on the motion of the Honourable Senator Dagenais, seconded by the Honourable Senator McIntyre:
>
> That the nineteenth report of the Standing Senate Committee on National Security and Defence entitled: *From Soldier to Civilian: Professionalizing the Transition*, tabled in the Senate on Wednesday, June 13, 2018, as modified, be adopted and that, pursuant to rule 12-24(1), the Senate request a complete and detailed response from the government, with the Minister of Veterans Affairs being identified as the minister responsible, in consultation with the Minister of National Defence, for responding to the report.

Hon. Mobina S. B. Jaffer: Honourable senators, I rise today to speak on the Subcommittee on Veterans Affairs' most recent report, *From Soldier to Civilian: Professionalizing the Transition*. I would like to thank each senator who contributed to the creation of this report. I would like to specifically thank Adam Thompson, the clerk of the committee, and also Havi Echenberg and Isabelle Lafontaine-Émond from the Library of Parliament.

Before I begin, I would like to share a few statistics that put this report into perspective.

In Canada, there are close to 700,000 veterans and more than 100,000 serving members of the Canadian Armed Forces. Each year, 9,000 to 10,000 Canadian Armed Forces members are released, of which approximately 1,600 are released for medical reasons. Unfortunately, one third of the people who leave the military have difficulty making the transition to civilian life. However, what these numbers fail to show is just how difficult a failed transition can be for our veterans. To truly drive home how much our veterans are struggling within the current system, I would like to share a story with you.

Steven Wright is a proud veteran from the Royal Canadian Navy. He served Canada for 34 years and was able to rise through the ranks to become a lieutenant by the end of his career. Over his decades of service, Lieutenant Wright obtained several injuries. However, he believed that Canada would support him when he transitioned back into civilian life. This never happened. Instead of receiving his benefits after transitioning into civilian life, Lieutenant Wright was told that he would have to wait.

Lieutenant Wright struggled to support himself and his family without his benefits. He had to completely max out his credit and borrow from his family, and he ended up in massive amounts of debt. Eventually, he had to take a job despite his injuries and lack of medical support. Even after going that far, Lieutenant Wright still struggled to support himself. He missed mortgage payments and was struggling to make the payments for the car that let him go to his job.

Five months later, Lieutenant Wright received his first pension cheque, but it was too little, too late. He still had no support for his injury, and he still struggles to deal with the debt that built up over the five months. Simply put, we failed Lieutenant Wright, along with the countless other veterans that experience difficulties in our transition system.

This is unacceptable. These are people who served in the Canadian Armed Forces for decades, with multiple deployments and citations, and made Canada proud.

These are people who have made the ultimate sacrifice so that we can have such an amazing life. That is why the Subcommittee on Veterans Affairs conducted our study. Our veterans deserve a system that will care for them and give them what they need as they transition into civilian life. To find out how we can best help these veterans, the Subcommittee on Veterans Affairs held five meetings and called on a variety of witnesses to speak on issues in our transition system.

Each of the witnesses we heard from was clear on one point: Our current transition system does not work, and it cannot be fixed with piecemeal changes. We need to rebuild our system entirely. We need a system that is defined, professional and consistent for all of our veterans.

To put this into perspective, I would like to contrast our transition system with our recruitment system. When members of the Canadian Armed Forces join the military, they are given all the support they need. From day one, our Canadian Armed Forces members have a future set out for them, and they have a clear plan to follow. Regardless of where they are in the country, they will always have the resources and support they need from a single point of contact through their whole career.

In direct contrast to this, our veterans are dealing with a bureaucratic nightmare. Their benefits are often not ready when they are released, and when they try to get help, they are faced with a complex system and massive amounts of paperwork that they cannot handle. It is not difficult to see which kind of system is more effective. Our veterans deserve a professionalized system that can clearly lay out and manage their future as civilians, just as our military did for them when they were first recruited.

To professionalize our transition system, our committee created 13 recommendations, each of which is based on issues that witnesses raised during committee meetings. I would like to highlight them today.

Our first recommendation is straightforward, yet critical: We must not release our veterans before their benefits are ready.

It is no understatement to say that the first months after release are the most important months for veterans. During this time, they decide what they want to do with their lives as civilians. This is a very difficult process for many veterans.

To quote a veteran interviewed by the Veterans Ombudsman:

> I joined the army at age 19. Before that, I was in high school. I was never really a civilian adult. I don't feel that I am transitioning "back" to civilian life, but becoming a civilian for the first time.

These people are counting on us. The veterans are counting on us to help them decide what they can do with their lives as civilians. We need to be sure that they have all the support they need during this important time. If we release the veterans before their benefits and services are ready, we are destroying their chances to have a future as a civilian. We cannot let this happen.

Many of the recommendations in our report also deal with the bureaucratic nightmare of paperwork that our veterans face as they undergo their transition into civilian life. When they are part of the Canadian Armed Forces, members only have to deal with a single point of contact that can assist them with any problem they may experience during their career.

Meanwhile, veterans deal with 15 separate organizations. Each of these organizations has its own separate paperwork and its own processes. This leads to real problems for veterans as they try to deal with each of these organizations. There are often broken lines of communication between the various offices that handle their file and, as a result, incorrect and incomplete information goes around.

In some cases, files are lost entirely, forcing veterans to restart the entire process of requesting the support they earned. Meanwhile, while they deal with this bureaucracy, they are unable to support themselves and their families.

This is simply not acceptable, and our report lays out a range of different solutions to simplify the administrative complexity veterans deal with. These solutions include reducing caseloads for Veterans Affairs case managers; creating release centres on military bases to manage cases during transition; creating ID cards and an easily navigable web portal for veterans — and I'm very pleased to tell you, honourable senators, that this recommendation has already been implemented by our government. It also includes providing veterans with priority access to health, education and social services.

With that said, it is important to remember that the job of simplifying the system for veterans does not end once they have been released from the military.

• (1530)

Half of all veterans come back several years after release since their needs only manifest after they leave the Canadian Armed Forces. These people also deal with bureaucratic nightmares.

In many cases, the organizations dealing with these veterans simply do not have a complete file on hand, despite it being part of their service record and medical history. As a result, these veterans are forced to prove their injuries all over again, no matter how traumatic it may be for them. In fact, they often have to go through the same test multiple times to satisfy any of the 15 organizations that could be dealing with their case. This is absolutely unacceptable.

From the moment that our veterans remove their uniforms, they should have everything they need in place to request the services they need down the line. They should get the same level of service that we gave them when we recruited them. We should not have separate kinds of services.

I would like to share another story with honourable senators to emphasize just how important it is for our veterans to have accurate information on hand.

Mark Campbell's whole life was committed to our military. When he was 13, he signed up with the army cadets. He then went on to the reserves and eventually became a proud major in our military who deployed in Afghanistan.

Unfortunately, tragedy struck in 2014 when a Taliban bomb destroyed both of his legs. Major Campbell returned to Canada as a hero, thanks to his service and his sacrifice for all of us in our country. However, he struggles with psychological trauma and finds himself in constant pain from the blast.

In cases like these, our government should have been there to give Major Campbell everything that he needed. However, because his medical file was mishandled, his medical assessment was incorrect and left him with far less money for his injuries than he should have received.

This devastated Mark, who struggled to deal with the cost of his condition along with his whole family. His wife developed secondary PTSD as she tried to support the whole family herself and was eventually left unable to work because of the mental strain. His son also started demonstrating mental health symptoms soon after. Despite this, both of them were also deemed ineligible for support because of Major Campbell's original assessment.

Cases like these are unacceptable. If a single mishandling of a medical file can completely ruin the lives of a whole family, then we need to provide veterans with a system that can protect them against this kind of situation. That is why our veterans committee recommends that each veteran should have a complete medical file and recommends a streamlined medical approval process for veterans that prevents repeated testing.

These main recommendations, along with the others that are covered in the report, cover a sweeping range of topics, yet each and every one of them is essential. To repeat what each of the witnesses we heard from told us, there is a serious need for change. What we have now simply does not work and is failing one in three veterans. Each one of these cases means another tragic story, like that of Steven Wright or Mark Campbell. We cannot let this go on anymore. We must rebuild our transition system.

Honourable senators, we, in this chamber, have a unique opportunity for real change to take place. Calls for change are coming from across our government, military and civil society. Even the Minister of Veterans Affairs and the Chief of the Defence Staff acknowledge that something has to be done now. This broken system has to be fixed now.

Honourable senators, I urge you to adopt this report and add your voices to this call for change. By following our 13 recommendations we can reach the goal of creating defined, professional and consistent transition system for all veterans. We must treat our veterans with the respect they deserve after putting their lives on the line for our country. These veterans cannot wait any longer.

Honourable senators, the men and women who stood up for us and have made the ultimate sacrifice deserve nothing but the best from us. Thank you very much.

The Hon. the Speaker: Honourable senator, will you answer a question?

Senator Jaffer: Yes.

[*Translation*]

Hon. Pierre-Hugues Boisvenu: I would like to congratulate the senator on this long-awaited report. As you pointed out in your report, the government recently gave $10 billion to a terrorist, yet the Prime Minister told a soldier at a town hall that veterans are asking for too much. That is an insult not only to our soldiers and veterans, but to all Canadians who are grateful to them.

Besides this report, what do you intend to do to ensure that the government behaves with greater sensitivity towards people who gave part of their lives and bodies to defend the rights of Canadians?

[*English*]

Senator Jaffer: Thank you very much for your question. I believe that under Senator Dagenais's leadership and the committee's work — we have a lot of work to do. First, I urge you to pass this report. Second, I believe honourable senators should ask the Leader of the Government in the Senate to answer this question because he would be in a better position than I to respond.

The Hon. the Speaker: Are honourable senators ready for the question?

Hon. Senators: Question.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to and report adopted.)

STUDY ON ISSUES RELATING TO SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY GENERALLY

TWENTY-SEVENTH REPORT OF SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY COMMITTEE AND REQUEST FOR GOVERNMENT RESPONSE—DEBATE ADJOURNED

The Senate proceeded to consideration of the twenty-seventh report (interim) of the Standing Senate Committee on Social Affairs, Science and Technology, entitled *The Shame is Ours - Forced Adoptions of the Babies of Unmarried Mothers in Post-war Canada*, deposited with the Clerk of the Senate on July 19, 2018.

Hon. Art Eggleton moved:

> That the twenty-seventh report of the Standing Senate Committee on Social Affairs, Science and Technology, entitled *The Shame is Ours: Study on the Forced Adoptions of the Babies of Unmarried Mothers in Post-war Canada*, tabled with the Clerk of the Senate on July 19, 2018, be adopted and that, pursuant to rule 12-24(1), the Senate request a complete and detailed response from the government, with the Minister of Families, Children and Social Development being identified as minister responsible for responding to the report.

He said: The Sixties Scoop survivors were recognized last year, those Indigenous children removed from their families and placed into non-Indigenous homes. There is, however, a kind of scoop that also needs to be acknowledged and that involves a non-Indigenous part of the population.

Our committee undertook a study to examine the systemic practice in the decades following World War II of coercing many Canadian unwed mothers to surrender their babies for adoption. We heard moving testimony from mothers, adoptees and organizations working to support those affected by this dark chapter in Canadian history.

In Canada and other allied nations, including Australia, New Zealand, the United Kingdom and the United States, social ideologies focused on the traditional family. This led the babies born to unwed mothers to be seen as "illegitimate."

Unwed mothers across the country were outcasts, many were sent away to maternity homes, mainly operated by religious institutions, where they were isolated from their communities. These mothers were often the subject of verbal and emotional abuse, were limited in their contact with the outside world and in many cases were not even allowed to see their babies after the birth. In fact, they were sometimes told that they deserved all of this because it was punishment for their sins.

• (1540)

Once their experiences at the maternity home came to an end, the mothers were told never to speak of it again. Some were told, for example, "Well, get a puppy," as if that could fill the void of a child taken away, or "Be a good girl from now on." Other statements we heard included, "I was told that I would eventually get married and forget about my baby." How does a mother forget her baby? "The social worker stood in front of me coldly. She said, 'You will never see your baby again as long as you live. If you search for the baby, you will destroy his life and the lives of his adopted parents.'"

This is from an adoptee in this case: "I thought about her all the time — this mother whose absence was ever-present in my life."

Yes, they were different times, different attitudes, but the pain for many of these people, both the mothers and the adoptees, still endures. It was cruel, nonetheless, from any perspective.

There are not a lot of official statistics available from this period, but between 1945 and 1971, we learned, nearly 600,000 infants born to unmarried mothers were recorded as illegitimate births. We heard that as many as 95 per cent of the unwed mothers in the maternity homes surrendered their babies for adoption — 95 per cent. Today, it's 2 per cent.

During this era, the Canadian government, along with provincial governments, provided funding that was used to support these maternity homes, as well as the adoption and counselling services that were given — in most cases they weren't given, as we were told — to unwed mothers.

Although most of these disturbing practices remain in the past, they led to lasting — and this is important — and life-altering psychological distress for many of these mothers and the adoptees.

In Australia, a Senate report led to a formal apology from the national government in the provision of services for individuals affected by forced adoption. To date, there has been no official acknowledgment by any level of government in Canada of the pressures that were put on unmarried pregnant women to surrender their babies for adoption and the pain it caused.

For many, time is running out. They're getting older. It is past time to acknowledge the wrongs that were done and to start moving forward toward a healing process for these people. With this report, we have tried to give these mothers and the children back their voices, to give them a way to share their stories so that we as a nation can begin to understand the harm they've suffered.

We received not only some representations by witnesses before our committee but also a number of letters — testimony in writing. For a lot of these mothers or adoptees, it was too painful to appear in person, but they did, in many cases, share their stories with us.

Our recommendations — and let me go through them very quickly as there are only four. The first one deals with the question of an apology. I want to make the point that it's not an apology as a stand-alone measure that is being proposed here. It's an apology in the context of healing. The recommendation is this:

> That the Government of Canada issue a formal apology on behalf of all Canadians to the mothers and their children who were subjected to forced adoption practices in the years following World War II.

It continues:

> The apology must:
>
> be informed by the work of an advisory group established to provide direction on the content of the apology;
>
> fulfill five criteria: —

In fact, these were established by the Law Commission of Canada. I first discovered that it was used in Australia when they did their report. The criteria are:

> . . . acknowledge the wrongdoing, accept responsibility, express regret, provide assurance that this practice will not occur again and provide reparation through action; and,
>
> be delivered in Parliament within one year of the tabling of this report.

Recommendation 2 says:

> That membership of the advisory group established under recommendation 1 includes, but not be limited to, mothers, adoptees and members of reunification organizations.

Recommendation 3 gets into the question of reparations, and this would include:

> collaboration between the Government of Canada and its provincial and territorial counterparts to create a fund to support training programs for professional counsellors —

— because this is an unusual circumstance, and there are not a lot of people out there trained to do this kind of counselling. Counselling to help these people through the difficulties they have been experiencing is what is needed, first and foremost.

So we're saying:

> — training programs for professional counsellors that is appropriate to the needs of individuals affected by past adoption practices and the provision of counselling services by those professionals to mothers and adoptees affected by forced adoption practices at no cost to them;

"A public awareness campaign" is also suggested, as is:

> a commitment to highlight the issue of access to adoption files by parents and adoptees with provincial and territorial governments.

I should say that I'm sure I'm not suggesting that every mother who gave up their child for adoption was coerced into it. There were, I'm sure, many who willingly did that. Today, of course, adoption practices for people who are willing to do it are quite available. This is a particular group of people who, in different countries, experienced the kind of coercion that we're talking about in the report.

Recommendation No. 4 is:

> That the Government of Canada, in collaboration with its provincial and territorial counterparts:
>
> initiate a discussion on the status of provincial legislation governing adoption files, in particular whether parents and adoptees have the right to access those files;
>
> develop a consensus position on a uniform policy in regard to accessibility of adoption files across Canada that acknowledges a person's right to know their identity;

Many people, adoptees particularly, made the point that they'd like to know their history. They'd like to know the genetic factors that could affect them. They would like to find out who their mother was. Access to information in these files varies from province to province. In some of these cases, of course, a person might have been born in one province and ended up in another province, or gone south of the border. In fact, a number of people who were adopted were sent out of the country.

I don't know if you remember seeing that film a few years ago — it was nominated for an Oscar — called *Philomena*. It starred Judi Dench. It was about an Irish mother. It was a true story. The woman actually is still alive to this day. She gave birth to a child who was taken out of her hands. She was mistreated and misinformed, like many of the others, and the child was taken off to the United States. They tried, as you see at the end of the movie, to find each other but didn't in time, unfortunately.

Then it says in recommendation No. 4 — and this has to do with the access to files again:

> develop and issue a joint statement calling on the religious organizations that ran the maternity homes for unmarried mothers to examine their roles during the post-war years, acknowledge the harm that resulted from their actions and accept responsibility;

• (1550)

We invited all of the religious organizations and, in fact, a number of institutions, including governments, to make representations to our committee. They declined.

The only religious organization that agreed to come was the United Church, who had studied this matter a few years ago and indicated that they concurred with the testimony that we heard before us by these mothers and the adoptees.

We also received a written statement from the Salvation Army that indicated what their practices were but admitted that there could be some mistreatment and they noted that in their report to us.

The others just declined totally to come; we heard from no government agency. We brought the Ontario Association of Children's Aid Societies in, but while they and a number of people verified these things happened, they had no statistics, no general information and no corporate memory on these matters.

Finally, we're saying to work with child welfare organizations in all jurisdictions to examine the roles in forced adoption practices with a view to issuing apologies at the provincial and territorial level composed of the five criteria recommended for the national apology. This is very similar to Australia. Their national government issued the apology and the reparations, but they also asked the state governments and the various organizations.

In fact, in that country all of the churches admitted that this happened. They all admitted it. But in our country, so far only the United Church has admitted that these kinds of things happened.

I think it's time for healing and the adoption of this report, and in moving it along to do that I know there will be many people in our country, both mothers and adoptees, who will be very grateful for this kind of action by the Senate of Canada. Thank you.

[*Translation*]

Hon. Julie Miville-Dechêne: Honourable senators, I want to congratulate Senator Eggleton and the Social Affairs Committee on this report, which was one of the first reports I read after becoming a senator.

The fact that the Senate is addressing such a sensitive historic injustice shows what it is capable of doing. As we know, this report got a lot of media coverage this summer. Canadians were moved, and the report made waves because this is a very important issue. Forced adoptions were carried out not just in Canada, but also in Quebec. We all know older women who suffered the injustice of having a child ripped away from them, or people who don't know who their parents are. Canadian society was complicit in these kidnappings. The church was involved, but it was society as a whole that wanted to hide these pregnancies. All this happened not too long ago. As an enlightened society that is making strides in gender equality, we must not forget that this happened in the not-so-distant past. When we examine, assess and judge other countries' practices, we must remember that we are not without fault.

I agree with the recommendations in the report. We must start by apologizing. This should be the Government of Canada's first step, and I hope it will do so.

[*English*]

Hon. Terry M. Mercer (Deputy Leader of the Senate Liberals): Honourable senators, I did not intend to speak on this matter, but the substance of the motion has driven me to rise.

As the former vice-president of the Adoptive Parents Association of Nova Scotia and one of its founding members, I want to make sure that we put adoption in its proper light.

Yes, forced adoptions are wrong. Yes, the coercion of young women to give up their children is wrong. But there are many thousands and thousands of people in this country whose lives have been changed by adoption. I'm one of those, because in November 1980 I met my son for the first time. He was a month old. Through a Catholic agency in Halifax, my wife and I adopted Michael.

Michael has changed our lives. I'm here today because of that, because it helped focus me for the rest of my life. It gave me a meaning for the rest of my life to work hard to support him, to help him. I'm extremely proud of him. Indeed, crazily, he is in this business as the Executive Director of the Liberal Party of Nova Scotia today. And I know you're all happy about that, too.

The point I want to make is that this is an important report and we should support it. However, we should not lose sight of the fact that adoption is a very good thing. I am very critical of those people who oppose abortion and who don't, at the same time, say adoption is an option. Because if you're going to oppose abortion, you then have to make sure that you give the young women who find themselves in a situation where they're considering an abortion an option to do something very positive, to change the life of not only the child but of the family who adopts the child.

My wife and I have never been happier than we were after we adopted our son, Michael. Well, we are a little happier now because Michael has given us two grandchildren, and as I tell people openly, the best job I have ever had in the world is being a grandfather. It is more fun than anything I have ever done in my life.

When I went home last weekend, after being on the road for seven days, waking up on Sunday morning with my granddaughter saying, "Wake up, granddad," made my trip worthwhile.

However, I want to make sure we get on the record that adoption is a positive thing. How adoptions are referred to in this report is a bad thing. I think that we need to understand that and I want to get that on the record. Adoption can be and is a very positive thing.

Hon. Senators: Hear, hear!

Hon. Lucie Moncion: I'm sorry, I wasn't planning to speak today. I did prepare a speech, but I will go from memory.

[*Translation*]

There are six or seven points I want to raise about the report. I'll start by saying that I agree with its findings. However, I think it's unfortunate that several aspects in the report were not discussed. That's what I find curious, and a little troubling.

The report barely touches on the religious practices and mores that were prevalent during the years when the adoptions occurred. At the time, religion and social mores were closely connected. There was little room for anything but moral rectitude and respect for church teachings. There were rules, and those who broke them were often shamed.

These women felt abandoned, first and foremost by their families. They ended up in facilities run by the church and other institutions because they had been rejected by their families. The pregnancy would be kept secret, and once the young girl returned home, nine or 10 months after the birth of her child, people were told that she had gone away to school, or some other story. This prevented the family from being disgraced. The young woman picked up where she had left off. In my opinion, this aspect of the situation was glossed over in the report.

• (1600)

I also think the role of men in these adoption stories was not sufficiently explored. Some men would have like to be part of their children's lives, but little or nothing was said about this in the report. My family was very religious, and my mother often told me to be careful because men never carry the shame that women do when they have a child out of wedlock.

My office is now researching the number of laws on this matter that existed in each province. All provinces had them, and they were used quite often. In Quebec, the "Duplessis orphans" law was widely used. Senators will remember that contraception was prohibited in Canada until 1969. It was a criminal offence to use contraception until the government decided it had no place in the bedrooms of the nation.

Another aspect that wasn't explored in the report is the fact that adoptions were a lucrative business. Some organizations got rich off these adoptions. I would have liked the report to examine this aspect.

Someone I know well told me how distressed he was after reading the report. This 86-year-old man was one of the people responsible for finding adoptive homes for these children. He said that he did this to protect the mothers and children and that he never meant to hurt them.

I understand everything that this report entails and the objectives it seeks to achieve. It's political, and it will benefit the women and children who suffered. If we can help those who want to find their families, then we should do so, so that the recommendations of the report serve their purpose. I would like to close by saying that I was disappointed because I feel like we could have done a lot more. This report could have been a wake-up call for many people who washed their hands of all this.

I will vote in favour of the report, but I would like to indicate that I think it is incomplete, given the significance of everything that happened during those long years. Thank you.

Hon. Renée Dupuis: Honourable senators, I would like to continue in the same vein as Senator Mercer.

First, I would like to congratulate the chair and members of the committee for drawing our attention to the issue of forced adoption and making it possible for the Senate to continue its work. You drew the public's attention to a situation that people are generally very uncomfortable with.

I believe that Senator Mercer's speech showed us a different perspective from that of the women who gave up their children, from that of the subsequent generations, of the children and grandchildren of these women who gave up their children and the parents who adopted them. I think that the Senate must go even further and demand an answer from the government. The discussions with the provinces that will follow must be integrated into their bills or their existing legislation. We must come up with measures that take into account all of these perspectives. We have a social responsibility to do so. If we are to work with the people who were affected by these policies, then we must do so with a good understanding of everyone's perspectives.

I would also like to draw your attention to something I think is very important. When the Quebec law was changed, the Commission des droits de la personne et des droits de la jeunesse du Québec noted that accessing one's file is still considered taboo. To do so would be like shedding the last vestiges of a social structure. However, that is exactly what we should be doing, because adoption is not only a historical event, but one that has lasting, obvious repercussions and that, in my view, is directly connected to the right to integrity of the body and security of the person guaranteed by the Quebec Charter.

I invite all senators to join me in adopting the report, but more importantly, I urge the committee to pay close attention to how the recommendations included in the report are implemented.

(On motion of Senator Cormier, for Senator Pate, debate adjourned.)

[*English*]

GOVERNMENT'S LEGAL OBLIGATION TO PROTECT AND MAINTAIN A VOLUNTARY BLOOD SYSTEM

INQUIRY—DEBATE CONCLUDED

On the Order:

> Resuming debate on the inquiry of the Honourable Senator Wallin, calling the attention of the Senate to the federal government's legal obligation to protect and maintain Canada's voluntary blood system and to examine the issues surrounding commercial, cash-for-blood operations.

The Hon. the Speaker: Honourable senators, Senator Wallin is exercising her right of final reply on this matter. This will have the effect of ending debate and no other senator will be able to speak to this item.

Hon. Pamela Wallin: Honourable senators, I do indeed wish to exercise my right of final reply on Inquiry No. 23, and thank you for the opportunity.

When I initiated my inquiry at the end of last year, the state of Canada's blood donation system was in trouble. Unfortunately, problems concerning the security of our blood supply still exist.

• (1610)

I am, however, proud to say that public support is moving in the right direction, that is, in support of the security, sustainability and the true purpose of a voluntary system.

I'm heartened by the hard work done by advocates, the Canadian health officials and citizens to increase awareness as to just how problematic a cash-for-blood approach is.

Over 80 per cent of Canadian stakeholders in the blood system, those who work with blood and plasma products every day, have formally told Ottawa that they are opposed to a paid plasma system. We have to wonder why our federal government isn't.

Misinformation is still being spread, deliberately or otherwise. As honourable senators are aware, I sent out an email recently to clarify some of the statements and misconceptions often used to undermine our voluntary system.

Just to refresh your memory, after the tainted blood crisis in the mid-1980s, Canada established a national inquiry and commission into what went wrong and how to move forward. The 1997 Krever commission report called for Canada's blood donor system to be completely voluntary, to uphold one national blood authority and that blood remain a protected public resource.

Colleagues, these principles are fundamental to the operation of a safe public blood system.

The Canadian Blood Services was created after the Krever inquiry to act as the sole entity to ensure security and supply of Canadian blood donations. For the past 20 years, Canadian Blood Services has worked to strengthen the voluntary system that the Red Cross once provided.

But in 2013, against informed advice, Health Canada opened up access to blood collection to private companies and issued operating licences to a national pharmaceutical company, Canadian Plasma Resources, which is now the chief for-profit entity that collects plasma in Canada. They pay people with gift cards to give their blood. The operations of Canadian Plasma Resources create two problems. They sell the plasma they collect at a profit overseas and they undermine our voluntary system.

Although four provinces have intervened and, through legislation, have said they will not allow a cash-for-blood system, I remain troubled as to why the federal government and even some provincial governments still choose to ignore Judge Krever's heartfelt plea that the system remain voluntary. As recently as February of this year, Canadian Blood Services warned of the dangers of allowing a for-profit blood system to operate. They have made the case directly to national and provincial health ministers that paid plasma will not, and cannot, secure blood for patients that need it most.

Honourable senators, advocates from BloodWatch and the Canadian Federation of Nurses Unions, two not-for-profit organizations that are concerned greatly with this issue, will soon be reaching out to your offices for meeting requests and to discuss why Canada needs to protect its voluntary system. These are all highly informed and qualified individuals, who are more than capable of discussing the in-depth problems that Canadian health officials and patients face as a result of this ill-considered mistake that continues to be supported by the federal government.

I urge colleagues to take the time to lend an ear to these advocates. Canada's blood collection system must remain one that is driven by the human instinct to help one another, not by personal gain or profit of a company. We must continue to encourage giving when it comes to our most precious public resource. I want to thank colleagues in advance for their continued interest in this subject matter, and I look forward to further discussion and debate in this place as we move forward.

(Debate concluded.)

ANTI-BLACK RACISM

INQUIRY—DEBATE CONTINUED

On the Order:

> Resuming debate on the inquiry of the Honourable Senator Bernard, calling the attention of the Senate to anti-black racism.

Hon. Nancy J. Hartling: Honourable colleagues, it's hard to be last, but I'm going to try my best to make it interesting for you.

I rise today to speak to Inquiry No. 39, anti-Black racism. I would like to thank Senator Bernard for bringing forward this important inquiry to the Senate and for her ongoing commitment to eliminate issues of racism.

The speeches we heard before rising for the summer break focused on systemic racism, anti-Black racism which occurs in the legal system, in the criminal system, and even here in Parliament.

In her speech, Senator Bernard focused on how anti-Black racism impacts our functioning as an institution. She stated, "I'm often the only Black Canadian voice at committees and during discussions," and she also highlighted that there are "few African Canadians in positions of leadership and on committees or as staffers."

It's important that just like the lack of women in politics, impacting how policies and laws are developed, often negatively impacts women, a lack of diversity around the table, in this case Black Canadians, will also lead to gaps on representing their needs.

Two specific points from Senator Bernard's speech that I want to focus on are micro-aggressions and the role that we must take as bystanders.

In her speech, our esteemed colleague shared a personal experience of racism which happened to her here, on Parliament Hill, while boarding our Senate bus. I was saddened that this happened to her, and what upset me most was the lack of recognition by others on the bus. It is of utmost importance that we become strong allies to all of those who experience anti-Black racism in Canada. It is our duty to be responsible bystanders and call out these types of behaviours. It's not always comfortable to do this, but imagine what it might be like for a person who is the target of these racist actions. I have spoken about being a responsible bystander in the chamber while addressing the issue of harassment, and it's important to remember that if you see something, say something or do something.

As I am not a Black woman, I speak to you today as an ally and a responsible bystander. I thought the best way I could do this was to share the following, from the body of work by Ritu Bhasin. She is the president of a company, an author and is recognized around the globe for her expertise in diversity and leadership. She is also a person of colour.

On May 8, 2018, Ms. Bhasin's blog entry entitled, "4 ways I'm Underestimated as a Woman of Color," begins by highlighting a racist incident which was vastly reported and debated on social media: the story of two Black men who were arrested for sitting in a coffee shop without ordering anything first. In 2018 it's shocking and very troubling. She goes on to say:

> As people of color, these "subtle" acts of racism affect our countless interactions and experiences—who sits beside us on the subway, the level of customer service we receive, how we're treated at work, and so much more. I can tell you that, as a Brown woman, it's these more covert forms of racism that I experience on a regular basis.

She highlights the fact that for her, the intersection of her race and gender has amplified the way she experiences racism — the racism she experiences is sexist, and the sexism she experiences is racist.

The four biases and subtle racism she experiences include, number one, "Are you supposed to be here?" As she often travels for work, she has realized that most passengers do not look like her. Most are middle-aged White men. Even more so, as she has a high frequent flyer status, she is often faced with the question as to whether or not she is in the right line when she's doing her pre-boarding. She writes:

> This happens to me a few times a month, and every time, I ask myself why I'm experiencing this type of questioning behavior when others in the same line are not. The fact is, these experiences tie back to judgments made about me as a brown-skinned woman. The people in these encounters underestimate me, assuming that, as a woman of color, I couldn't be "important" enough to board first.

Number two is, "Are you really worth this much?" She shares her experience as a global speaker on leadership and diversity and the fact that her abilities, level of excellence and value are often blatantly underestimated. She states that she is frequently questioned on her pricing, especially when dealing with new clients. For example, one client yelled at her on the phone, doubting that she was worth the same as a banker on Bay Street. After her presentation, this client told her, "Now I understand why you charge what you do. That was excellent."

Although I'm sure she appreciated being recognized for her excellence, it must have been tainted by her initial interactions with this person. Your abilities to do your job should never be questioned because of your race.

• (1620)

Number 3: "People don't care what you have to say."

Here she shares her experience of racism while launching the book, *The Authenticity Principle* and having a mainstream TV program stating that the topic was "too provocative." Again I quote:

> Upon getting this news, my publicist was shocked — she'd never been treated like this by the network, and she rightly identified it as racism, which is very upsetting for her. She couldn't believe it. I, on the other hand, was not surprised. I knew going into it that it would be an uphill battle to get mainstream coverage as a woman of colour — despite the media's refrain that they want more diversity, but can't find it.

Lastly, number 4: "Are you really good enough?"

This is an example of being underestimated as a guest speaker at a top institution, even though she was recommended by one of its own esteemed leaders. Despite being endorsed by a well-respected member and leader of the institution, she was perceived as not being fully qualified to be featured at this event.

These examples shared by Ms. Bhasin are more than "micro-aggressions," but they speak to the same issue of racism — that of making assumptions about someone's value, intelligence and capabilities based on their name, their gender or the colour of their skin. We, as bystanders, need to be proactive in checking our own assumptions and calling others out when we see these things happening.

In Canada, the Black Experience Project, a research study focused on examining the lived experiences of individuals who self-identify as Black or of African heritage living in the Greater Toronto Area. This six-year study released information which found that Black Canadians, when compared to non-Black Canadians, on a national level are earning less income, experiencing higher rates of unemployment and higher rates of incarceration. They also suffer poorer health outcomes, have more housing difficulties and are more likely to be victims of violence.

Our former Parliamentary Poet Laureate from 2016-17, George Elliott Clarke, a seventh generation African Canadian born in Windsor, Nova Scotia, wrote these profound words:

> The way racism works in Canada, it's very subtle. You may feel you're a victim of racism or have experienced racism, but you can't necessarily prove it — unless you get a [White] friend to go check out that rental, go check out that job, whatever. Unless you're willing to really dig to prove you're a victim of racism, it might be difficult to do that. And so what you're dealing with then is a feeling, it's emotion.

His words remind us of how racism impacts Black Canadians. Currently it's the International Decade for People of African Descent, 2015 to 2024, so let us embrace change by listening, learning, acting and supporting our fellow Canadians.

In closing, let us remember the words of former President Barack Obama, who said: "Change will not come if we wait for other people or some other time. We are the ones we've been waiting for. We are the change that we seek." Thank you.

(On motion of Senator Omidvar, for Senator Lankin, debate adjourned.)

BANKING, TRADE AND COMMERCE

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO MEET DURING SITTING OF THE SENATE WITHDRAWN

On Motion No. 353 by the Honourable Douglas Black:

> That the Standing Senate Committee on Banking, Trade and Commerce have the power to meet on Wednesday, June 13, 2018, at 4:15 p.m., even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

(Notice of motion withdrawn.)

MOTION TO AUTHORIZE COMMITTEE TO EXTEND DATE OF FINAL REPORT ON STUDY OF NEW AND EMERGING ISSUES FOR CANADIAN IMPORTERS AND EXPORTERS WITH RESPECT TO COMPETITIVENESS OF CANADIAN BUSINESSES IN NORTH AMERICAN AND GLOBAL MARKETS ADOPTED

Hon. Douglas Black, pursuant to notice of September 18, 2018, moved:

That, notwithstanding the order of the Senate adopted on January 30, 2018, the date for the final report of the Standing Senate Committee on Banking, Trade and Commerce in relation to its study on new and emerging issues for Canadian importers and exporters with respect to the competitiveness of Canadian businesses in North American and global markets be extended from September 28, 2018 to November 30, 2018.

He said: I move the motion standing in my name.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to.)

HUMAN RIGHTS

COMMITTEE AUTHORIZED TO STUDY INTERNATIONAL AND NATIONAL HUMAN RIGHTS OBLIGATIONS AND REFER PAPERS AND EVIDENCE SINCE BEGINNING OF FIRST SESSION OF FORTY-SECOND PARLIAMENT

Hon. Salma Ataullahjan, pursuant to notice of September 18, 2018, moved:

That the Standing Senate Committee on Human Rights be authorized to examine and monitor issues relating to human rights and, inter alia, to review the machinery of government dealing with Canada's international and national human rights obligations;

That the papers and evidence received and taken and work accomplished by the committee on this subject since the beginning of the First Session of the Forty-second Parliament be referred to the committee; and

That the committee submit its final report to the Senate no later than September 30, 2019.

She said: I move the adoption of the motion on behalf of Senator Bernard.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to.)

[*Translation*]

THE SENATE

MOTION TO URGE THE GOVERNMENT TO ADDRESS THE ISSUE OF THE SELLING OF FALSE MEMBERSHIP CARDS— DEBATE ADJOURNED

Hon. Patrick Brazeau, pursuant to notice of September 18, 2018, moved:

That the Senate urge the Government of Canada and the RCMP to address the issue of fraudulent "native" individuals and organizations selling fraudulent membership or status cards, a practice that is detrimental to the Indigenous peoples of Canada.

He said: Honourable senators, I know that it's getting late for a Thursday, but this is the first week that Parliament is back, and as our former colleague Senator Baker used to say, "I will be brief."

[*English*]

I would like to take a few moments today to share a serious problem affecting the Indigenous peoples of Canada. There are individuals in Canada pretending to be Indigenous who are making and selling fake status cards. These cards are sold under false pretences that individuals can hunt, fish, cross the border and receive tax-free benefits.

According to a CBC report, at least 50,000 of these bogus cards have been sold, and this is just with respect to the organization in that report so it's safe to say that there are likely many more.

These fraudulent cards are taken to local businesses and presented to the cashier. Assuming the card to be genuine, cashiers then deduct various taxes. Some of these fake card sellers also offer "DNA" tests for a hefty fee. The DNA tests are as fake as the cards.

Some of my colleagues may remember a CBC exposé last June. Three people with no actual Aboriginal ancestry sent their DNA to one of these fraudulent organizations. They all received the very same result down to the very band.

Even more ridiculous, Your Honour, was the result for Snoopy, the Chihuahua. Snoopy was found to be 12 per cent Abenaki and 8 per cent Mohawk. Snoopy's owner, Louis Côté, was given the same result for his own DNA.

Molly, a French poodle, was sent a letter informing her that she is 2 per cent Oji-Cree, 2 per cent Saulteaux and 1 per cent Mississauga Indian.

Yes, this is ridiculous, Your Honour, and it's also very sad. Innocent people are duped into sending money to these organizations, only to get fraudulent cards and false DNA results.

What's more, DNA tests are not even one of the criteria that INAC uses to determine who is and who is not entitled to be a status Indian. Yet this sort of fraud continues unabated.

The problem of fraudulent status cards has very serious ramifications as well. It's not just a matter of a few dollars here or there. Some merchants are fearful of accepting the false cards and so they refuse to take any status cards at all, affecting many Indigenous families and contrary to their rights.

This refusal to accept legitimate status cards has an immediate financial and psychological impact on families. Please do not think only of the few dollars that it represents. Please put yourself in the shoes of a First Nations woman or a man going into a store. Will the clerk take one look at you and wonder if you are using a phony status card?

The overwhelming majority of Indigenous people in Canada are decent, law-abiding citizens. It would never cross their minds to cheat or steal or take advantage of others. Criminals pretending to be Indigenous are making money on these fraudulent cards and bogus DNA tests. The result is further stigmatization of people who are already dealing with unrelenting racism and stereotypes.

Think of a young Indigenous man in Montreal, Chilliwack or Winnipeg already living with the burden of being seen as suspicious or different. When this young man enters a store with his long hair, what does he encounter? He will face suspicion, which is demoralizing, Your Honour, and it has happened to me on more than one occasion.

It is time for the government to take the problem seriously and put an end to these fraudulent activities. We hear that the government has asked KPMG to study the issue. What is the result of this study? And why is KPMG investigating and not the RCMP? The RCMP should immediately investigate because this seems like blatant fraud.

• (1630)

The Government of Canada should notify all retailers of how to identify legitimate cards. In turn, those retailers should accept those legitimate cards and refuse and report fraudulent ones to the property authorities.

Fraud is a serious crime, and it has serious financial implications, but legitimate Indigenous peoples should not be punished for these fraudulent acts.

I hope I have opened your eyes to the emotional and psychological consequences that this kind of fraud has on Indigenous peoples because we don't need that extra burden. It is for these reasons that I'm asking my colleagues today to join me in supporting this motion. Not only would we protect the rights of legitimate Indigenous peoples but we would also be protecting those who are misled from buying these fraudulent cards.

I've been trying to address this issue for almost 15 years now, but I cannot do it alone. I need your support and legitimate Indigenous citizens in this country need your support as well. *Meegwetch.*

(On motion of Senator Mercer, debate adjourned.)

(*At 4:32 p.m., the Senate was continued until Tuesday, September 25, 2018, at 2 p.m.*)

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